

**GOOD PRACTICE SERIES**

# EQUALITY ASSURANCE

## Self-Assessment for Equal Opportunities in Training

April 1999

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**D/EE**  
Department for  
Education and Employment



# Foreword

The Department for Education and Employment and the TEC National Council firmly believe that all individuals are entitled to equality of opportunity. However, it is a fact that some sectors of our society and individuals experience difficulties in gaining the relevant skills to enter and complete on equal terms in the labour market.

Labour Market Skills and Trends 1998/1999 published by the Skills and Enterprise Network on behalf of the DfEE states that ethnic minorities, people with disabilities and women (especially those seeking part-time employment) are much more likely to be in lower skilled employment. In addition ethnic minorities and people with disabilities are much more likely to suffer from long term unemployment and social exclusion.

The Learning Age Green paper advocates a learning society in which everyone is equipped with the skills and knowledge to compete in the labour market. TEC/CCTEs and their partners have a major contribution to make in turning this into a reality by supporting and encouraging those in our society who are under represented, under achievers and socially excluded.

This Good Practice Guide produced in partnership with the Commission for Racial Equality, Equal Opportunities Commission, Advisory Committee for Disabled People in Employment and Training and the Training Standards Council is designed to:-

- reinforce the importance of equal opportunities to TEC/CCTEs, training providers and the business community they serve
- help you assess your current policies and practices and plan for improvements
- provide TEC/CCTEs with a self assessment proforma, in the form of a floppy disk, which will help training providers ensure they meet the standards required by the TSC

We believe this Good Practice Guide and supporting material makes an important contribution to further raising awareness of equal opportunities. We hope you agree.

Jacqui Henderson  
Chief Executive  
TEC National Council

Suzanne Orr  
Divisional Manager  
Quality and Performance Improvement Division



# Prefaces

At the heart of this Equality Assurance guide is a valuable toolkit to assist in the process of self – assessment and to help training providers to develop, own and update their equal opportunities policies and practices. The Equal Opportunities Commission (EOC) believes that it is vitally important that those policies and practices reflect and address the local situation and that the EO policy is a real and ‘living’ document. The EOC has been pleased to be able to contribute to its production through membership of the steering group. We think it will go a long way in meeting its objectives of helping training providers, and the TECs/CCTEs contracting with them, to assess how their working practices and policies are providing equality of opportunity and meeting the requirements of the legislation and standards such as the Inspection Framework and the TEC National EO Strategies Standard. It is wide – ranging and comprehensive and covers key issues like making the business case for equality and importantly links the managing of equality to the processes of quality assurance. We do not expect it to be read through from cover to cover but to be used, as a valuable source of advice, which we believe, is authoritative and very relevant to the needs of its audience.

The EOC recognises that if equality of opportunity is to be mainstreamed into organisational culture then it must be seen as part of the core business of training providers. The Training Standards Council’s inspection framework is a great step forward and an excellent model for equality in that it views equal opportunities as a generic component of its inspection process. There is currently much happening in the world of vocational education and training and we think that providers and TECs/CCTEs can make a valuable contribution to tackling discrimination and eliminating stereotyping in occupational choice. Not only will individuals benefit but also employers and the economy in general.

Frank Spencer, Chief Executive, Equal Opportunities Commission

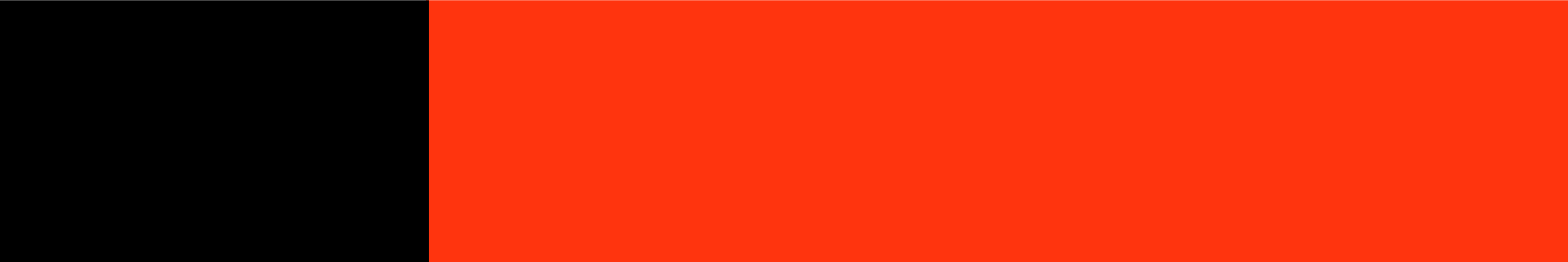
The importance of equality of opportunity to a thriving local economy cannot be over-estimated. If implemented effectively, equal opportunity policies and practices ensure that we value and utilise the talents of all our people, irrespective of their appearance, status or background. Training providers and TECs/CCTEs are uniquely placed to assist all individuals to obtain fair access to training and employment opportunities.

At present there is still an unacceptable reality of continuing disparities in participation and job outcomes between ethnic minority and white trainees. Ending those disparities is the challenge ahead of us. It can be met through leadership and action.

I welcome those examples of top level commitment and good practice, but in isolation, they are not enough. Equality of opportunity can only become a reality through the concerted and consistent actions of partners across complementary working areas.

I am pleased to support the aims of this guidance, which encourages TECs/CCTEs and training providers to work together as partners on equality issues and make meaningful the goal of a just and fair society for everyone.

Sir Herman Ouseley, Chairman, Commission for Racial Equality



Work-based training is the largest sector in our education system, yet it is often undervalued or overlooked. It can, however, offer unparalleled opportunities not only to those who learn best through practical experience in the workplace. It can also open doors for those who have not succeeded in more traditional educational settings, or who have encountered barriers in their chosen career paths, perhaps because of a disability or because of their gender or race.

The role of the Training Standards Council is to inspect the work-based sector from the perspective of the trainees, in order to ensure that they have access to the best quality training. Through inspection we find many examples of providers who are working to develop excellence in their training, and talk to many trainees whose lives have been transformed by the quality of their learning experience. We also find, however, that some organisations have a passive or negligent attitude to what they provide, and that their trainees suffer as a result.

Vibrant and dynamic equal opportunities policies and practices are at the heart of excellence in work-based training. For the sector to succeed, it must move beyond traditional roles and attitudes in its thinking. It must seek to recruit trainees from those sections of society which are normally excluded from particular educational and employment options, and it must ensure that they are given support and a wide range of opportunities to help them to achieve.

The Training Standards Council assumes that equal opportunities policies and practices are a fundamental part of any training providers' business operations, and inspects them as a generic aspect of training provision. Where we find good equal opportunities practice, we praise it. When we find practice that is common place, or weak, we are clear in our criticisms. Our interest is in ensuring that the work-based training sector is accessible to all, and helps everyone to achieve.

Inspection by the Council is part of a continuous cycle of self-improvement, based on annual self-assessment, as described in our framework document *Raising The Standard*. This Good Practice Guide has been designed to give guidance on how the self-assessment principle can be used by training providers (working in partnership with TECs) to identify strengths and weaknesses in the field of equal opportunities, in order that they can improve their policies and practices.

The TSC was pleased to be represented on the steering group which developed this guidance material. We hope that you will find it an invaluable tool in the continuous pursuit of excellence.

David Sherlock, Chief Executive, Training Standards Council



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# Introduction

This guide<sup>1</sup> has been developed to help training providers and TECs/CCTEs contracting with them to continuously improve Equal Opportunities (EO) policies and practices. It will help them to mainstream EO activities and respond to the requirements of the Training Standards Council (TSC) as set out in its inspection framework *Raising the Standard* (TSC, 1998).

The Department for Education and Employment's TEC Equal Opportunity Strategies National Standard (DfEE, 1997) also requires TECs/CCTEs to identify under-represented and underachieving groups and what action is being taken with local partners to address the issues. TECs/CCTEs should help training providers improve Equal Opportunities and training providers can help TECs/CCTEs close performance gaps. Both are employers and businesses in their own right, with a commitment to their workforce and the local community.

There is still evidence of gross inequality in the workplace. The rate of unemployment among black men is three times that of white men and black trainees are less likely to leave adult or youth training with a job. Economically active disabled people are twice as likely to be unemployed as non-disabled people, and also less likely to leave training with a job. Women working full-time still earn only 80% of men's average hourly rate.

The government acknowledges the role that discrimination on the grounds of race, sex or disability can play in limiting access to training and employment, and has made the promotion of equality of opportunity a key objective. Its commitment to promoting Equal Opportunities through access to lifelong learning has been emphasised in *Learning Together for the Future* (1997), *The Learning Age* (1998) and initiatives to widen participation and tackle social exclusion. From October 1999 the remaining rights in Part 111 of the DDA will come into force and will have particular significance for TECs/CCTEs and Training Organisations as service providers. The *Disability Discrimination Act* (1995) makes discrimination against employees on the grounds of disability illegal, in line with existing legislation covering race and gender discrimination. The *Human Rights Act* (1998) brings the UK in line with European legislation, and when it comes into force in the year 2000 will give individuals further rights if public services treat them unfairly. A new Code of Practice on Age Diversity in Employment is to be published in May 1999 which was developed following wide consultation. TECs/CCTEs and training providers will also want to address the needs of socially excluded groups, who are at a disadvantage in accessing training or employment opportunities.

This publication provides guidance on the legislation and other equal opportunity considerations. However, it is not simply about compliance with legislation. The self-assessment questions and action planning tools are designed to help providers enhance performance across all their activities. They have been developed in consultation with practitioners to provide a starting point for continuous improvement in addressing the needs of businesses and local communities. The examples provided here of good practice and innovative approaches show that many TECs/CCTEs and training providers are already fully engaged in this process.

<sup>1</sup> This guide was prepared before the Secretary of State's announcement on 10 March 1999 about the results of the TEC Review and the future of lifelong learning arrangements. There are issues raised in the guide which may require further consideration in the light of announcements on future national and local arrangements.

# Summary

The first four chapters introduce you to the guide and explain why Equal Opportunities is important for TECs/CCTEs, training providers and businesses. Chapters 5 – 9 help you assess your policy and practice, and plan for improvements. Chapter 10 gives you legislative background.

## 3. How to use this Guide

Suggests how you can make the best use of this self-assessment 'toolkit' and clarifies the key terms used.

## 4. The business case for equality

Summarises the main business arguments for equality of opportunity and the benefits to small businesses, employers, trainees, partners, staff and the local community.

## 5. The TEC Equal Opportunities Strategies National Standard

Provides an overview of the framework and key components of the TEC Equal Opportunities Strategies National Standard with guidance on how TECs/CCTEs can develop EO strategies that meet DfEE requirements

## 6. Managing for equality

Offers guidance on steps to produce effective Equal Opportunities policy and managing its implementation. Suggests how Equality performance indicators can be incorporated into your organisation's strategic planning process; and used to review EO effectiveness.

## 7. The self-assessment process

Describes the self-assessment process, summarises the guiding principles and explains how the self-assessment pro forma provided on disk and *TECtranet* can be used or adapted to meet your organisation's needs, using the Equality statements provided to measure EO effectiveness.

## 8. The Training Standards Council framework

Explains the Training Standards Council (TSC) inspection framework and grading. It also lists the TSC quality standards for ease of reference.

## 9. Sector standards, key questions and sources of indicative evidence

This is the central section of the Manual. It includes:

- **Sector Expectations**, using the inspection guidelines suggested by the Training Standards Council as its starting point, the key questions are cross-referenced to show where they also address the requirements of the DfEE's TEC Equal Opportunities Strategy National Standard or the Business Excellence Model. As such, it provides an overview of the standards, requirements and criteria for all three assessment frameworks.

- **Suggested sources of evidence** showing where evidence in support of the organisation's EO self-assessment might be located
- a list of **Key Questions, organised thematically**, for consideration by those responsible for assessing the area under discussion
- **Case studies** from within the sector to help to stimulate ideas and encourage the dissemination of good practice

Chapter 9 thus offers TECs/CCTEs and others involved in the assessment of training provision a basic self-assessment framework for the development, implementation and review of Equal Opportunities policy. Suggested sources of evidence most likely to demonstrate that training providers are delivering equal opportunities are also listed, along with illustrative case studies and good practice examples.

## 10. Legal framework

This section summarises the existing laws against discrimination and suggests other non-legislative equality issues that should be taken into consideration. It includes an explanation of key terms and gives practical guidance on how to deal with racial, sexual, disability and other forms of harassment.

## 11. Acknowledgements

Lists a number of organisations and individuals who helped in the production of this guide.

## 12. Useful addresses

Lists some useful addresses and contacts.

## 13. Useful publications

Lists some useful publications for those wishing to follow up issues or update information supplied in this guide.



# How To Use This Guide

We do not expect you to read this guide from cover to cover, but to use it as a reference, to use particular sections, to copy pages and to adapt the proformas on disc and the TECtranet to fit your needs.

## Principles

- It should be regarded as **a tool-kit**. Although its emphasis is on self-assessment, it has many other potential uses. For example, your organisation may also wish to use it when developing or implementing its EO policy, developing EO action plans or training staff and managers to be more aware of EO issues.
- **Training providers will need to develop their own approaches to EO policy development and implementation** in partnership with their local TEC/CCTE and stakeholders, to reflect their particular context and the needs of minority groups in their staff, trainees and local community.
- Equal Opportunities is an on-going process. You will need to **decide where your organisation is now and move on from there**. For example, some organisations may use the guide to develop an EO Action Plan because there is nothing in place yet – others may have mainstreamed EO and feel confident enough to integrate equality targets into their existing quality assurance process.
- EO is never static – the issues and the needs of trainees will change and develop. You should therefore use the manual to **engage in a continuous process of EO review**, taking full account of the views of trainees and customers, employers, staff, external stakeholders and the identified needs of the local community.
- If managers, trainers and support staff are to be effective in their self-assessment roles, committed to the equality assurance process, and confident in their ability to implement EO policy, **the good practice highlighted in this manual should be supported by on-going staff induction and development opportunities**.
- Ideally, **equality assurance should be part of an organisational quality assurance process**. For organisations already familiar with internal and external assessment, the key questions may already be familiar ones that staff are used to addressing, while others may be entirely new considerations.
- The key questions listed in Chapter 9 and the sources of evidence below are suggestive rather than prescriptive. **You may need to identify other appropriate questions or evidence**. You are encouraged to select the key questions and sources of indicative evidence that are most relevant to your situation and to develop your own, based on self-reflection, trainee/ customer feedback and the realities of your particular working context.
- The key questions should be used as prompts, to help you identify your organisation's strengths and weaknesses. The emphasis throughout is on producing concrete evidence of performance, achievement and developing good practice. For assessment purposes each of the questions should be prefaced with the question 'what evidence do you have to show that...?'

- A wide range of qualitative and quantitative evidence can be produced in support of the self-assessment process. The suggested sources of evidence listed in this guide are based on those suggested by the Training Standards Council, and supplemented from other sources. **Staff should be encouraged to identify any additional sources of evidence that reflect their own good practice and assessment needs.**

## Key terms

We have provided a glossary below of some of the terms used frequently in this guide:

- **Absence/absenteeism:** Absence refers to the non-appearance of an employee or trainee for work or training purposes; absenteeism occurs when a person is absent on a regular or persistent basis with no prior satisfactory agreement.
- **Community Groups/ Local community** - the range of formal and informal groups in your catchment area representing the diverse needs and interests of people in the targeted/ prioritised groups listed below. They include voluntary organisations, campaign groups, special interest groups, service providers, specialist agencies and representative individuals.
- **Consultation** - to the maintenance of a dialogue with individuals and representatives from local community groups with the aim of gaining genuine insights into their training, education and employment needs. Ideally it is an on-going, collaborative, two-way process from which all parties can benefit.
- **Under-represented/ prioritised groups** are referred to throughout this guide and may include one or more of the following:
  - women / men
  - people with disabilities
  - people from ethnic minorities
  - older people
  - ex-offenders
  - people needing help with:
    - literacy and numeracy
    - English for Speakers of Other Languages (ESOL)
    - Behavioural and learning difficulties
  - lone parents
  - people who have experienced long-term unemployment
  - people who have experienced difficulties due to drug or alcohol abuse
  - people who have experienced difficulties due to homelessness

A more detailed explanation of who is included in these groups and their diverse training and employment needs is included at the end of Chapter 10 (see Non-legislative Equal Opportunities Considerations, p.66).

- **Direct Discrimination**<sup>2</sup> - occurs when a person is treated less favourably than others on grounds of their sex or marital status or on racial grounds (i.e. due to their race, colour or nationality (including citizenship), and ethnic or national origins).
- **Diversity** - to the full range of individual values, attitudes, cultural perspectives, beliefs, ethnic background, sexual orientation, skills, knowledge and life experience in any given group of people.

- **Equal Opportunities (EO)** - the absence or removal of barriers to economic, social and political participation on the grounds of difference - for example, due to a person's gender, race or disability. It is both an organisational process and a culture and should stem from an explicit commitment to the inclusion of all social groups and to valuing diversity.
- **Disability discrimination**<sup>2</sup> - occurs when an employer or provider of goods, facilities or services treats a disabled person less favourably than someone else for a reason relating to their disability, unless they can justify doing so. Employers and providers of goods, facilities or services must make reasonable adjustments in certain circumstances. Failure to do so without justification is also discrimination.
- **Equality Assurance** - the process of ensuring that you are actually providing quality EO strategies in practice. It entails a commitment to continuous improvement of EO.
- **Harassment** - takes many forms it occurs on a variety of grounds and may be directed at one person or many people. In general terms it can be described as unwanted behaviour which a person finds intimidating, upsetting, embarrassing, humiliating or offensive. It usually stems from assumptions about a person's difference, and is most likely to affect minorities or those who lack power within the organisation. It is essential to remember that it is not the intention of the perpetrator that is key in deciding whether harassment has occurred but whether the behaviour is unacceptable by normal standards and disadvantageous.
- **Indirect Discrimination**<sup>2</sup> - occurs when a rule, condition or requirement which applies equally to everyone has a disproportionately adverse effect on people from a particular racial group, or on one sex, or a married person of the same sex, and there is no objective justification for the rule.
- **Positive action**<sup>2</sup> - describes measures targeted at a particular group that are intended to redress past discrimination or to offset the disadvantages arising from existing attitudes, behaviours and structures. Such measures may legally include:
  - the provision of training and special encouragement for people of a particular racial group, or either sex, who have been underrepresented in certain occupations or grades during the previous 12 months
  - measures to address any special educational, training or welfare needs identified for a specific racial group
  - measures to provide training and special encouragement for returners to the labour market after a period of time discharging domestic or family responsibilities
  - special encouragement such as targeted advertising and recruitment literature, reserving places for one sex on training courses or providing taster courses in non-traditional areas.

Positive action should not be confused with **positive discrimination** (i.e. choosing people solely on the grounds of their gender or racial origin, regardless of their capabilities) which is illegal in the UK.

- **TEC Equal Opportunities Strategies National Standard** - The TEC EO National Strategies Standard which all TECs/CCTEs need to achieve as part of their contractual arrangements with central Government.

<sup>2</sup> For a fuller explanation of these terms, see Chapter 10 (Legal Framework)

# The Business Case For Equality

Promoting the business case for equality is an ongoing challenge. TEC/CCTE Contract Managers play a key role in promoting good EO practices to businesses and training providers. This often requires them to make the 'business case' for equality, putting forward convincing arguments to overcome employers' resistance.

The arguments in favour of EO are as relevant to training providers as they are to TECs/CCTEs, since they are both businesses in their own right. Both should be keen to provide the best possible services to everyone in the community, and to demonstrate that they are EO employers. Yet it is sometimes difficult to persuade employers that EO is a bottom line priority. The following pages outline the business case for equality. The summary sheet can be copied to provide a useful starting point for a Contract Manager or Business Link adviser or Training Provider discussing these issues with small businesses and other prospective partners.

## Bottom line reasons for promoting equality

A commitment to EO is in the long-term interests of all employers. Equal Opportunities is seen as a mechanism for enriching the workforce, resulting in genuine financial gains that businesses are encouraged to calculate:

### Essential Ingredients of a Profit and Loss Account

#### Turnover increased through:

Developing premium products based on

- Unleashing creativity and innovation of a diverse workforce
- Recruiting on merit the best people for the job

Market Development

- Businesses that reflect the diversity of their customer base can develop and promote new products for neglected segments of the market

Increased Market Share

- By employing a workforce which reflects its total customer base companies will retain and gain customer loyalty through meeting the needs of all its customers

#### Costs reduced through:

Developing policies which improve staff retention rates:

- Leading to reduced recruitment and training costs
- Allowing firms to maximise returns on training & development costs

#### Improved labour productivity

- Flexible work practices which are beneficial to employer and employee
- Employer policies which demonstrate commitment to employee values and needs lead to employees committed to employer objectives

#### Reduced wage pressures

- By becoming an employer of choice, opportunity to draw on the widest pool of talent

## The business case for equality: a summary

Providing equality of opportunity enables your businesses to ensure you provide good quality services and products for everyone in the local community.

### **Enhancing customer satisfaction**

A public EO policy and a high standard of service that meets the needs of all sections of the local community will:

- increase the satisfaction of customers
- enhance the reputation of the enterprise
- ensure that the diverse training needs of all disadvantaged groups are recognised and addressed
- show customers that you conduct business fairly

### **Strengthening Community Roots**

Close and full involvement of women and men from all groups will:

- help strengthen and deepen roots in the local community

Community consultation and partnership activities will:

- affirm the organisation's business commitment to the locality
- ensure that the best use is made of local suppliers

### **Meeting local needs**

Understanding the needs of customers from all groups leads to:

- greater success in recruiting staff and trainees and helping them to achieve their personal and vocational goals

Products and services that reflect the diversity of the locality result in:

- greater customer loyalty
- an increased market share
- access to neglected markets and a wider customer base

### **Becoming an employer of choice**

Staff recruitment and selection practices that take full account of EO lead to:

- an enhanced reputation as an employer
- a wider pool of applicants from which you increase the likelihood of recruiting the best person for the job

Development and promotion to maximise staff potential:

- improves retention
- provides savings in recruitment and retraining costs

Family-friendly work practices lead to:

- greater commitment and higher productivity and staff retention

### **Benefiting from partnerships**

A good EO reputation in the community attracts:

- partners from a variety of agencies
- development funding by meeting social inclusion criteria

### **Gaining Development Funding**

An effective EO policy and implementation strategy ensures that:

- the organisation meets funders' criteria
- funding applications are positively received

### **Averting the costs of discrimination**

Racial, sexual and disability discrimination is expensive:

- costs money, undermines staff morale and reputation
- makes the organisation unattractive to employees, customers and suppliers
- adverse publicity or formal investigation of alleged discrimination is an expensive liability

## The Business Excellence Model (BEM)

Business Excellence Model (BEM)<sup>2</sup> is used widely by TECs/CCTEs and medium and large businesses. Based on the European Foundation framework for quality management framework, it provides a structured approach to organisational improvement. Business activities and outcomes are divided into ‘results’ and ‘enablers’ factors – i.e. what the business is and has been achieving – and ‘enabling factors’ – i.e. the means by which organisations can get there:

### Enabling factors

Leadership  
Policy and strategy  
Employee management  
Resources  
Delivery processes

### Results factors

Employee satisfaction  
Customer satisfaction  
Impact in the community  
Business results

TECs/CCTEs and businesses frequently derive their own self-assessment questions to enhance their use of BEM. The key questions in Chapter 8 are cross-referenced to assist TECs/CCTEs and medium and large businesses when preparing for BEM assessment.

The Business Excellence Model (BEM) requires organisations to address the following key questions:

- 1. Leadership:** How the behaviour and actions of the executive team and all other leaders inspire, support and promote Business Excellence as the best way to achieve the organisation’s objectives
- 2. Policy & Strategy:** How the organisation formulates, deploys, reviews and turns policy and strategy into plans and actions
- 3. People Management:** How the organisation realises the full potential of its people
- 4. Resources:** How the organisation manages resources effectively and efficiently
- 5. Processes:** How the organisation identifies, manages, reviews and improves its processes
- 6. Customer Satisfaction:** What the organisation is achieving in relation to the satisfaction of its external customers
- 7. People Satisfaction:** What the organisation is achieving in relation to the satisfaction of its people
- 8. Impact on Society:** What the organisation is achieving in satisfying the needs and the expectations of the community at large
- 9. Business Results:** What the organisation is achieving in relation to its planned objectives and in satisfying the needs and expectations of everyone with an interest or stake in the organisation

Source:- ‘A guide to the Business Excellence Model for TECs/CCTEs’ - British Quality Foundation/DfEE. Further information can be obtained from the British Quality Foundation- (see addresses, Chapter 12)

## Business Excellence: an EO approach

The Business Excellence Model makes limited direct reference to EO, yet EO considerations are implicit in each of its nine specified criteria (see Chapter 9). For TECs/CCTEs and businesses working towards Business Excellence, an EO approach will enable them to demonstrate that:

**Leadership:** Senior managers and board members lead the organisation in developing and using EO policies and practices

**Employee Satisfaction:** Diversity is encouraged and discrimination and harassment dealt with so all employees feel respected and valued

**Policy and Strategy:** EO principles are embedded in all policies and development plans and communicated to all staff

**Customer Satisfaction:** The organisation has mechanisms for identifying and responding to the needs of a broad range of customers

**Employee Management:** The organisation has EO policies for the recruitment, training, review and promotion of all staff

**Impact in the Community:** There is evidence that the business or organisation has had a positive impact through developing and supporting the diverse needs of its local community

**Resources:** The organisation deploys its resources in a way that supports EO policies and plans

**Business Results:** The drive to equality and diversity is evident in the organisation's results

**Delivery:** Services and products are developed taking into account the diversity of talent in the staff and the diversity of its customer base

Source: - *Equal Opportunities Quality Framework* which has been derived from the *Business Excellence Model* and is available from the *Equality Foundation*. (see addresses, Chapter 12).

# The TEC Equal Opportunities Strategies National Standard

This guide is mainly aimed at improving EO in training, but it should also help TECs/CCTEs implement their EO strategies.

The DfEE requires TECs/CCTEs to adopt separate EO strategies setting out their plans to eliminate equality gaps in starts and outcomes and promote equality of opportunity. These strategies need to meet the TEC EO Strategies National Standard.

## TEC Equal Opportunities National Standard Strategies Components

The TEC EO Strategies National Standard recommends that each TEC/CCTE should develop separate EO strategies that include the following components:

- 1 A clear statement of the overall role of the TEC/CCTE in securing EO
- 2 A broad assessment of current EO achievements in local education, training and enterprise activities influenced by the TEC/CCTE
- 3 A detailed assessment of the success of its training programmes for young people and unemployed adults in providing equality of access and outcomes, regardless of gender, race and disability
- 4 Clear priorities and plans for carrying out its equal opportunities role, including quantified and time-bound targets for removing inequality in training programmes in terms of race, gender or disability
- 5 A Statement of how progress will be monitored and the impact of the strategy evaluated
- 6 Details of consultation with local community groups during the preparation of the strategy and plans for their continued involvement in its implementation
- 7 Plans to publish information about the TECs/CCTEs EO priorities, plans, targets and progress
- 8 The TEC/CCTE equal opportunity commitments and practices as an employer

The DfEE regards equality of opportunity as a vital ingredient in national competitiveness, helping to support employers, individuals and communities. Your organisation can play an important role in promoting and developing good practice.



The DfEE's sample evaluation undertaken in 1998 suggests that TECs/CCTEs came closest to meeting the standard where they had:

- assessed the success of training programmes
- identified participation and performance gaps
- explored the reasons why participation and performance gaps exist
- set time-bound targets for reducing and eliminating such gaps
- developed action plans that set out how gaps would be closed
- consulted with local community groups about these action plans

### DfEE Recommendations

Many of the recommendations resulting from the DfEE's evaluation<sup>3</sup> have been incorporated into this guide's key questions to assist TECs/CCTEs in their endeavours to implement the TEC EO Strategies National Standard. As well as encouraging greater consistency within the sector by offering detailed guidance on the presentation of performance data, the report includes a number of specific recommendations on how TECs/CCTEs should present their EO strategies. The recommendations emphasise the need for:

**Component 1:** A clear statement of who, at Board level, has responsibility for EO. This relates to both executive and non-executive members, who, whilst pursuing the same goals have different responsibilities.

**Component 2:** All data sources to be cited and commented on in the main body of the strategy and for action plans to detail what steps are being taken to obtain or improve data collection.

**Component 3:** Data about youth and adult training, including information about performance, participation, success rates and performance gaps to be presented in a consistent, specified way.

**Component 4:** Information on the barriers to participation in education, training and employment and how the strategy will overcome them, with action plans that specify when the activities will commence and end.

**Component 5:** Continuous review and reporting e.g. monitoring of progress at least once every quarter, plus annual evaluation of the strategy.

**Component 6:** Consultation activities such as meetings or workshops, with details of any feedback received, how different priorities were negotiated and how consultees were involved in monitoring and evaluation of the strategy.

**Component 7:** Information to be given to all trainees, including complaints procedures and EO commitments; and EO targets to be included in contracts with training providers, who should be required to have EO policies and be provided with EO awareness training.

**Component 8:** Adherence to CRE and EOC best practice guidelines and Placement, Assessment and Counselling Teams (PACTs) to improve employer practices.

The DfEE report also recommends that TECs/CCTEs adopt:

- Action plans to ensure that Board representation and staffing reflects the community served
- Close oversight of the role of any consultants in putting together EO strategies, which should not be written or evaluated solely by consultants

<sup>3</sup> See *Evaluation of TEC's Equal Opportunities Strategies: Introduction of the new National Standard DfEE Research Report no. RR87*, November 1998. The evaluation looked at 30 strategies between Jan – May 1998, 8 of which were 'well on the way' to meeting the standard, and 16 partly met the standard but were missing key components

# Managing For Equality

TECs/CCTEs and training providers are both potential role models and standard-setters locally in EO. Your organisation must therefore be seen to be effective at implementing its own EO policy. In order to translate your good EO intentions into practice, there is a need to 'manage equality' by planning for this at both strategic and operational levels and measuring your achievements regularly as part of your self-assessment activity. **The following advice applies as much to TECs/CCTEs as to the training providers they support.**

Managing equality effectively involves:

- Securing the commitment of senior staff
- Carrying out a needs analysis based on the local community profile
- Consulting widely with members of the community and stakeholders
- Setting clear, achievable targets and objectives
- Measuring achievement against relevant performance indicators and benchmarks
- Integrating this assessment into their strategic planning process

## Securing the commitment of senior staff and Directors

The commitment of senior managers and Directors is vital. To achieve this, regular management training, including updates in light of new legislation and initiatives, and effective management information systems are essential. Many organisations already recognise the importance of providing training for senior managers to create commitment, a shared sense of purpose and greater awareness of the issues.

## Establishing Baseline Data and Consulting on EO Priorities

As part of local lifelong learning partnerships, TECs/CCTEs will be involved with their partners in collaborative planning to respond to local needs and promote equality of opportunity. TECs/CCTEs have established baseline data and consulted widely on their EO strategies in order to set strategic targets for closing equality gaps. This is a process of continuous improvement, requiring annual review and revision of each TECs EO strategy, and affording regular opportunities for further consultation with the local community.

In this context, training providers should undertake whatever data collection and consultation that would be appropriate in their particular circumstances, e.g. to strengthen baseline information or consultation in particular sectors or localities. Training Providers may need to consult with:

- Local TEC/CCTE and other providers
- Employees
- Trainees/customers

- Equality partners
- Local community representatives
- Careers Service, Employment Service, schools and employers.

The practical difficulties of consultation can sometimes result in tokenism. To avoid this, consultation should begin at an early stage in the planning process and involve a broad and representative range of people, whose responses actively inform your organisations EO plans and priorities. You should give people feedback on how far you have been able to include their views in your EO plans and priorities and maintain an open channel of communication for any future consultation and review of progress against your equality targets.

### Developing and reviewing your equal opportunities policy

You will be most successful at delivering EO if you can show commitment, ownership, action, outcomes and a periodic review of the policy's effectiveness.

A statement that your organisation is committed to EO will be meaningless unless it is supported by a clear policy and implementation plan. ACAS advises that organisations state they are "striving" to be EO employers, rather than claiming that they already are.

The table overleaf shows the main characteristics of an effective EO policy.

## Characteristics of an effective Equal Opportunities Policy

### Commitment

- A written EO policy clearly linked to your organisation's strategic plan, its mission statement and, where appropriate its charter; and informed by the Race Relations, Sex and Disability Discrimination Acts
- A trainee/staff committee with overall responsibility for Equal Opportunities
- A senior manager and Director having overall responsibility for implementing the policy
- An action or implementation plan

### Ownership

Your policy should show how you ensure EO has a high profile:

- Regular communication to ensure awareness of the policy and action plan among: trainees, staff, people applying to be trainees or staff, suppliers of goods and services, recognised consultative forums, partners, customers and the public
- Frequent opportunities for trainees, staff, external clients and others working in partnership with the TEC/CCTE to discuss, evaluate, review and influence the policy
- On-going staff induction and staff development opportunities that promote ownership and awareness and enhance or embed good practice

### Internal Action

Ways of demonstrating you are promoting equality internally:

- Data on ethnicity, gender, age, disability and other relevant information is collected and used to review policy
- All staff are trained in the implementation of your EO policy, including: managers, administrative and reception staff, trainers and tutors (both full and part-time), support staff,
- Targets are set to improve your organisation's performance and are monitored and measured
- Procedures for complaints and redress for unfair treatment are clear to everyone

### External Action

How you will demonstrate your EO approach in your dealings with outside agencies:

- Ethnic minority, disability and women's organisations, and other under-represented groups in the community, are consulted regularly
- Sub-contractors and work placements are monitored for their EO practice
- Your organisation promotes itself in the community as an EO employer/training provider
- Advice is sought, when appropriate, from outside agencies, such as local race equality councils, the CRE, the EOC, Skill, the Refugee Council, MIND, NACRO and others
- Information and marketing material is provided, where appropriate in community languages and in different formats – for example, on audio tape and in Braille

### Positive Action

What measures you are taking to redress past discrimination and offset existing disadvantages, such as:

- the provision of special or targeted training
- meeting any identified special educational, training or welfare needs
- providing training and special encouragement
- targeted advertising and recruitment literature
- reserving places for one sex on training courses or providing taster courses in non-traditional areas

### Outcomes

What you aim to achieve by putting your policy into practice:

- fair representation of ethnic minorities, women, older and disabled people and other under-represented groups at all levels in your organisation
- participation by a wider group of trainees in all programme areas
- consistently higher levels of trainee retention and achievement
- an enhanced reputation in the local community and media
- increasing levels of customer satisfaction
- a wider range of employers offering work experience
- fewer grievances and complaints

## Setting objectives and targets

Senior managers will wish to set clear EO objectives. Measurable targets can then be set at appropriate levels, including

- Strategic
- Operational
- Team
- Individual

Targets provide a focus for action and a benchmark for progress. They should be realistic and achievable and be based on the local community profile and subsequent consultation activities. They should also be time-limited. Success in meeting targets is more likely if a small number of targets is set each year, accompanied by staff development to increase motivation and clarify responsibilities.

Targets to help training providers achieve equality of opportunity might include, for example<sup>4</sup>:

- A specified increase in the proportion and or number of female trainees on training programmes traditionally designed for males
- A specified increase in the proportion and or number of ethnic minority trainees who achieve their intended goals
- A specified increase in the number of trainees with disabilities who progress to employment or further vocational training

Similarly, targets to help TECs/CCTEs might include:

- A specified increase in the number of ethnic minority businesses providing on the job training

## Implementation

Your targets should be drawn up into an action plan with who will do what by when (see Chapter 7 for more on action planning). An action plan is only as good as the action taken. This may involve you in:

- Setting up an internal team
- Arranging meetings with community organisations
- Visiting employers you use for work placements
- Seeking external funding for special projects
- Setting up support for under-represented or under-performing groups, etc.

A step by step approach is desirable. You will need to prioritise. If you are new to EO work, your first steps may be to agree a policy, set up staff training and address any major gaps in your practice.

<sup>4</sup> The targets and performance indicators given here are examples only. There could be many others, depending on the TECs context and priorities

You can get advice from local groups, e.g. your Race Equality Council and TEC EO officer, as well as from national organisations listed in Chapter 12. In addition to the publications listed, most produce special guidance on EQ. The National Training Organisation National Council for example, will be able to put you in touch with National Training Organisations for different occupational areas. It advises NTOs for the different sectors on working with TECs/CCTEs and Careers Services to ensure National Traineeships, Modern Apprenticeships and NVQs promote EO in their publicity and monitor representation from different groups. You will also find websites useful such as the Training Standards Council website which publishes all inspection reports.

## Measuring achievement

Progress towards equality targets will need to be measured. Your organisation should decide what data needs to be collected and integrate it into its existing management information data collection and quality assurance procedures. For example, by adding specific questions to a standard trainee questionnaire, it is relatively easy to measure the satisfaction of particular groups of trainees and compare this to the level of satisfaction expressed by these groups in previous years.

## Equality Performance Indicators

Performance indicators contribute toward self-assessment and continuous improvement by providing a measure of progress. They are one source of evidence to help your organisation make judgements about the quality of its provision and any areas for improvement. Comparisons can then be made:

- Year on year
- Between different groups of trainees
- With other training providers
- With national norms

Performance indicators do not provide solutions to problems. However, they do serve as a useful starting point for further investigation and analysis, and subsequent target setting. As such, they are valuable tools.

No single performance indicator can provide the basis for a definitive judgement and it may be necessary to identify others or to produce further evidence to support them. The areas covered by performance indicators might include:

- Participation rates for ethnic minorities, women, people with disabilities and other under-represented or prioritised groups
- Drop-out rates or early leavers
- The range and diversity of EO employers providing work experience placements to trainees over a defined period
- The proportion of male, female, ethnic minority and disabled staff at each level of the organisation against relevant performance indicators and benchmarks
- Levels of absence among women, ethnic minorities and other identified groups
- The number of grievances and complaints by women and ethnic minority trainees, those with disabilities and trainees from other prioritised groups

The key questions and suggested sources of evidence in Chapter 9 provide further examples.

## Benchmarks

A variety of internal, local and national benchmarks can be used when evaluating your progress towards achieving equality of opportunity.

Internal benchmarks might include performance indicators for previous years; for similar types of programme; for other groups of trainees; and so on.

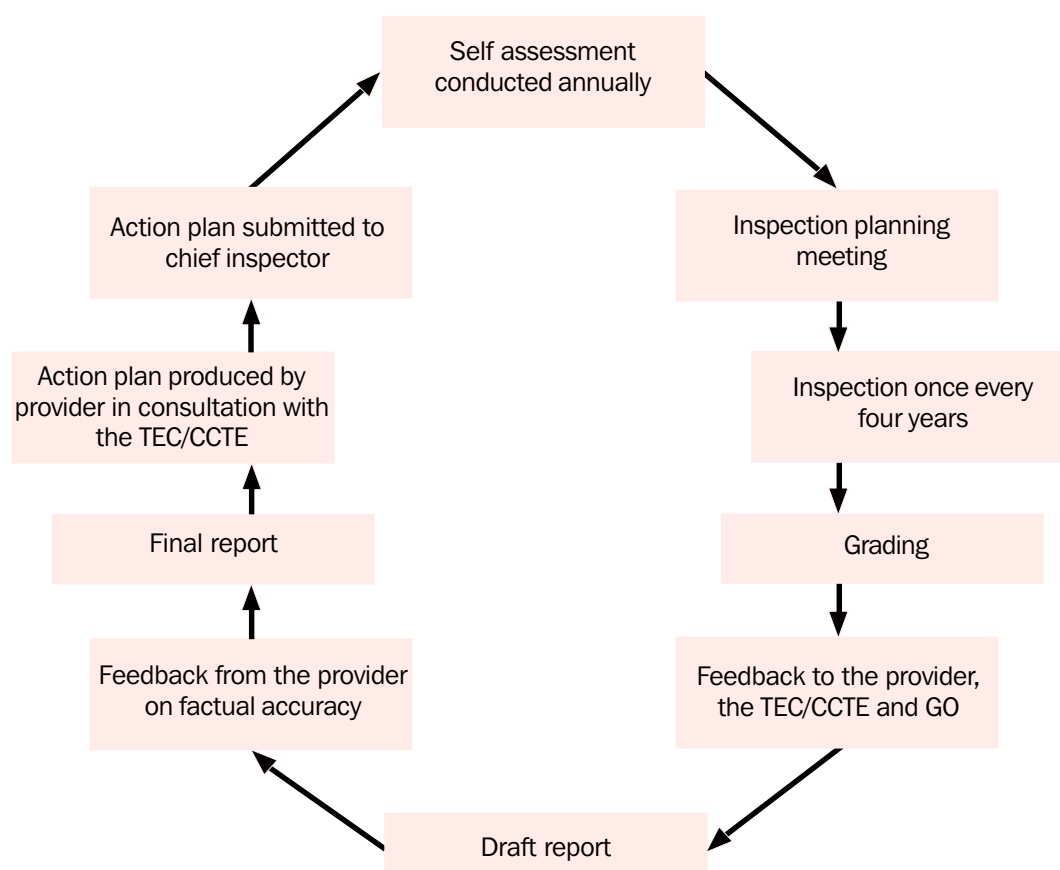
External local benchmarks might include local labour market information and the performance of neighbouring training providers.

National benchmarks might include achievement data from Awarding bodies; and national participation and achievement rates available from a variety of sources.

## The cycle of equality assurance

The judgements made in your organisation's self-assessment report for inspection form the basis for renewed target-setting and the revision of action plans, so that the cycle of planning and measuring achievement is ongoing.

## The Inspection Cycle





# The Self-Assessment Process

Self-assessment is integral to the quality assurance process, providing a focus and impetus for on-going improvement. It is most effective when it is structured, rigorous and continuous. This publication seeks to encourage TECs/CCTEs and training providers to approach the assessment of their EO performance with the same rigour as they apply to other aspects of their work.

## What is the TECs/CCTEs role in supporting self-assessment by training providers?

As well as conducting their own annual self-assessment, TECs/CCTEs play a key role in assisting local training providers with theirs. Working closely with Government offices (GOs), the role of the TEC/CCTE is to:

- ensure a fair deal for all trainees, in access to, treatment during and outcomes from training
- provide continuous support to training providers to ensure that they fulfil the requirements of annual self-assessment
- implement quality assurance procedures in alignment with the framework and TQA-SM
- support training providers in producing action plans to meet the needs which emerge from self-assessment or inspection, especially if their inspection report was weak
- work with GOs and regional inspectors to resolve issues relating to the quality of local provision
- advise the inspectorate on the inspection programme

The TEC/CCTE will find these roles easier to carry out if it has been through the self-assessment process itself. Apart from considerations about trainees and training provision that will only apply if the TEC/CCTE is directly involved in the delivery of training, the requirements listed below will be as relevant to the TEC/CCTE as they are to the training providers you support.

## What does the self-assessment process involve?

The self-assessment process involves identifying strengths and weaknesses and producing evidence in support of each judgement. Action plans based on any identified weaknesses ensure that remedial or developmental steps can be taken to remedy them within a defined time-scale.

## What are the guiding principles of self-assessment?

Self-assessment procedures should reflect the needs and context of the organisation and its trainees. The guiding principles for conducting self-assessment are clearly defined by the Training Standards Council. Training providers are required to:

- use the quality of each trainee's learning experience as the basis on which judgements are made
- make the self-assessment process an integral part of strategic and operational planning

- involve staff at all levels, making sure they are aware of the objectives and procedures of self-assessment
- involve trainees, giving the opportunity to express their views anonymously
- consult relevant external organisations, including sub-contractors
- collect and analyse statistical performance data, identifying trends over time
- make sure that the evidence supporting judgements is reliable and accessible
- track their progress from year to year in remedying weaknesses and consolidating strengths

### The self-assessment process

#### Step 1

Consider each equality prompt and what you need to do to establish whether this area of provision is a strength, a weakness or generally acceptable. Use the relevant information to assess and grade yourself for the area under review.

#### Step 2

Write brief evaluative statements to support your judgements and identify the evidence you will use to support them. Ensure that the evidence provided is clearly numbered and referenced.

#### Step 3

Where you have identified a weakness, agree and record the action(s) needed to bring about changes or improvements, who will undertake them and by when. Action plans should also be made for areas identified as generally acceptable or a strength, as part of the process of continuous improvement.

### How to structure self-assessment reports

For inspection purposes, self-assessment reports should begin with an introduction, containing:

- an overview of the organisation's training provision
- a description of its size and scale, including average numbers of staff and trainees over the past three years
- any sub-contractual or work placement arrangements
- the number of trainees in each occupational area (using occupational codes)
- a summary of the main features of the local community, including official data on employment, training and education
- reference to the outcomes of any other audits or assessments of the quality of provision

Reports should be concise (i.e. no more than three sides for each occupational or generic area of provision excluding statistical data) and ideally presented as a table. Each area should be awarded a single grade reflecting the strengths and weaknesses identified in relation to 3 key areas:

- Training and Assessment
- Trainees' achievements
- Resources used

Elements of any generic work (Equal Opportunities, Trainee Support, Management, and Quality Assurance) that significantly affect the quality of trainee's learning should also be addressed.

The report should end with a summary of the actions to be taken to remedy any weaknesses and consolidate strengths in each identified area. These annual action plans should form the basis of an on-going dialogue between the TECs/CCTEs and training providers.

### How to use the Equality Assurance Self-Assessment Proforma

The proforma listing equality prompts for use in self-assessment are available on disc and on the TECtranet. The equality prompts listed derive from the TSC's generic aspects and are based on the key questions listed in Chapter 9. The proforma are laid out as follows:

1.	2.	3.	4.	5.	6.	7.
EQUALITY PROMPTS	STRENGTHS/WEAKNESSES	EVIDENCE	ACTION REQUIRED	BY WHOM?	BY WHEN?	GRADE [1-5]
Employers and supervisors receive induction into equal opportunities						

- Column 1:** Use the EQUALITY PROMPTS listed here as a basis for self-assessment and to identify EO objectives and targets
- Column 2:** State what you think are your STRENGTHS & WEAKNESSES in this area
- Column 3:** List the EVIDENCE you will supply in support of your self-assessment
- Column 4:** List any ACTION(S) REQUIRED to improve the quality of EO provision in this area
- Column 5:** Identify THE PERSON(S) RESPONSIBLE for the action(s) identified in column 4
- Column 6:** Identify a date BY WHEN the actions identified in column 4 should be completed or reviewed
- Column 7:** GRADE your assessment of your organisation's performance in the specified area on a scale of 1-5: you may wish to do this for a section rather than for each prompt

For further guidance on the grades and their interpretation, see Chapter 9.

## Action Planning

Self-assessment should not be seen as an end in itself. Ideally, the process should result in a raised awareness of the organisation's strengths and ways of enhancing them. It should also identify any weaknesses and encourage the development of clear objectives and targets aimed at eliminating them at strategic, operational, team and individual levels.

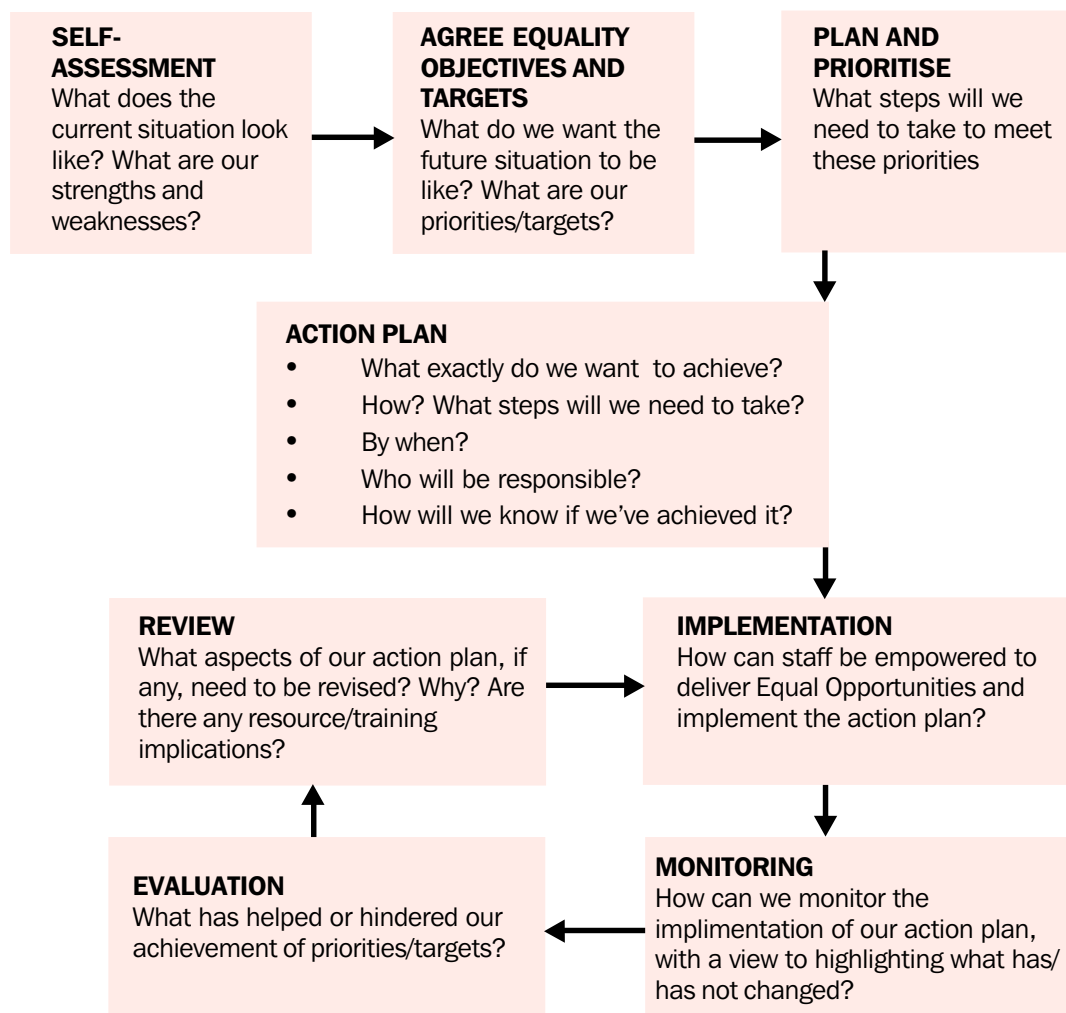
Action planning will encourage staff to use the findings from their self-assessment to prioritise their equality objectives within a specified time-frame, and develop clearly defined targets and success indicators that relate to your organisation's broader strategic objectives.

Delegated responsibility for progressing equality objectives and targets should be highlighted in the Action Plan along with the relevant benchmarks or performance indicators, resource implications and monitoring strategies.

Action Planning for EO requires a systematic approach that is directly linked to your self-assessment activity.

The following flow-chart provides an overview of the action-planning process:

### The Action Planning Process



# The Training Standards Council Framework

## Training Standards Council

The Training Standards Council is responsible for inspecting and reporting on the quality of government-funded work-based training. Annual self-assessment takes place in the context of a four-year inspection cycle, based on the framework set out in *Raising the Standard* (Training Standards Council, 1998).

The TSC requires training providers to assess their work each year in seven key areas of provision:

For each occupational area:

- Training and Assessment
- Trainees Achievements
- Resources

In the organisation as a whole:

- Equal Opportunities
- Trainee Support
- Management
- Quality Assurance

It is worth noting that the TSC is the only Inspectorate that includes equality of opportunity as part of its framework for judging quality.

Training providers are required to provide evidence of:

- Documented EO policy and procedures
- Compliance with legislation and TEC/CCTE contracts
- Effective management and promotion of EO policy
- Policies for selection and assessment that guarantee equality of opportunity for all trainees
- EO policy that is understood and supported by all staff
- Equal opportunities is applied to all the organisation's activities
- All trainees and staff are protected against discrimination and harassment
- Effective complaints and grievance procedures

Inspectors are also looking for evidence that:

- Responsibility for the development of EO policies and implementation of procedures lies with senior management
- There is effective monitoring of trainees by application, recruitment, achievement, completion and progression
- There is systematic analysis of staff and trainees by gender, ethnicity and disability over and above TEC/CCTE contractual requirements.
- Socio-economic data for the locality is used as a means of benchmarking performance and informing strategic planning
- Good provision of access to training is available for disadvantaged people

The key questions in Chapter 9 derive from the TSC framework, as do the suggested sources of evidence and the grading system which follows. However, the corresponding standards derived from **DfEE's TEC EO Strategies National Standard** (see p.11) and the **Business Excellence Model** (see p.10) are also highlighted in the text for cross-reference purposes.

## Grading

TSC grading for self-assessment and inspection purposes is based on a five point scale, as follows:

**Grade 1 = outstanding provision, which has strengths and few weaknesses**

**Grade 2 = good provision, in which the strengths clearly outweigh the weaknesses**

**Grade 3 = satisfactory provision, with a mixture of strengths and weaknesses**

**Grade 4 = less than satisfactory provision, in which the weaknesses clearly outweigh the strengths**

**Grade 5 = poor provision, which has few strengths and many weaknesses**

Training Provider features of provision for EO which may present at different grade levels are illustrated below. The illustrations are not exhaustive and intended only as guidance.

### Grade 1

- i.e.
- Policy and procedures long established within daily practice
  - Systematic evaluation of performance and review of procedures
  - Deep concern with equality of opportunity
  - EO is inherent within all aspects of training
  - Sub-contractors and other associates subscribe fully to the provider's values
  - Examples of implementation of EO policy resulting in the widening of access to training

### Grade 2

- i.e.
- Comprehensive range of policies and procedures
  - Active monitoring and review of performance
  - Commitment of the organisation to equality of opportunity
  - EO has yet to become fully inherent within the culture of the organisation
  - Staff and trainees are well protected against discrimination and harassment
  - Identifiable areas for improvement in arrangements for EO

### Grade 3

- i.e.
- Policies and procedures meet legal and contractual requirements
  - Staff have good intentions but the organisation is not deeply self-critical about its performances
  - No evidence that the organisation systematically analyses its catchment area or client groups
  - Trainees and staff are protected against discrimination and harassment
  - Concern with EO is demonstrable, but little more than conventional

#### **Grade 4**

- i.e. Provider is likely to meet contractual requirements of the TEC/CCTE  
Gaps in the EO policy and procedures  
Little attempt to ensure implementation of EO procedures in work placements and sub contracted training environments  
Providers; staff not fully committed to the implementation of EO  
Complacency about EO issues and examples of injustices to trainees.

#### **Grade 5**

- i.e. Little awareness of, or concern for, EO  
Steps to satisfy legal and contractual requirements are cynically minimal  
No systematic monitoring and evaluation of performance  
Language or jokes about race, gender, sexuality or disability are tolerated among staff or trainees  
Little evidence that staff and trainees are protected against discrimination and harassment  
No systems to ensure EO at premises of sub-contractors

### **TSC Quality Statements**

The performance of training providers is assessed against the TSC quality statements in “Raising the Standard” and listed below. Each has specific EO implications that are addressed through the key questions, we have provided for each section.

#### **1. Training and Assessment**

- 1.1 Training is effectively planned, documented and delivered so that it meets the needs of trainees and employers and the requirements of awarding bodies and government programmes
- 1.2 Training arrangements appropriately specify the following:
  - Standards
  - Objectives and expected outcomes
  - Content
  - Training methods
  - Learning opportunities for key skills
  - Time-scales for delivery
  - Assessment methods
  - Responsibilities for trainers, work supervisors and assessors
- 1.3 Training is effective and learning opportunities on and off the job are used creatively to give trainees the skill and knowledge they need to achieve the required standards
- 1.4 Trainers, work-based supervisors and assessors work as a team
- 1.5 Trainers, work-based supervisors, assessors and trainees promote equality of opportunity
- 1.6 There are good relations between trainers and trainees
- 1.7 Trainees understand, influence and agree their training programmes
- 1.8 Trainees are consulted about the effectiveness of their training
- 1.9 Trainees understand how they will be assessed and what is expected of them
- 1.10 Trainees are told regularly about their progress and how they can improve their performance

- 1.11 Assessment procedures meet the requirements of awarding bodies
- 1.12 Assessments are rigorous and fair
- 1.13 Assessments cover the required skills and knowledge at the appropriate levels
- 1.14 Assessment is fully documented and used to update the trainees' personal development plans

## 2. Trainees' achievements

- 2.1 Goals are agreed with each trainee and they are documented
- 2.2 Demanding targets for completion, qualification and progression are set and met
- 2.3 Trainees are punctual and attentive and they attend as required
- 2.4 Trainees work without supervision when appropriate
- 2.5 Trainees' work is of an appropriate standard and demonstrates requisite occupational competence
- 2.6 Trainees' progress is monitored and recorded
- 2.7 Trainees make significant progress towards fulfilling their goals and their potential
- 2.8 Trainees' achievements are appropriately recorded and accredited
- 2.9 Success rates of individual training organisations compare well with local and national averages

## 3. Resources used

- 3.1 There are sufficient staff who have the skills, knowledge and qualifications to deliver training in each specialist occupational area to trainees of diverse backgrounds and with differing needs
- 3.2 Trainees have access to accommodation, equipment and facilities which:
  - Help them to learn effectively
  - Reflect current practice in industry and commerce
  - Meet the requirements of awarding bodies
  - Conform to health and safety requirements
  - Are well maintained
  - Are used efficiently
  - Are adapted to assist those with learning difficulties or disabilities

## 4. Equal Opportunities

- 4.1 The training provider has an EO policy and implements procedures for furthering equality of opportunity which comply with legislation, meet the requirements of TEC/CCTE training provider contracts and demonstrate good practice
- 4.2 Equality of opportunity is effectively promoted and managed
- 4.3 Procedures for selection and assessment guarantee trainees equality of opportunity
- 4.4 Staff and trainees are protected against discrimination and harassment



4.5 The training provider's EO policy, procedures and action plans are:

- Documented
- Understood and supported by all staff, including sub-contractors and employers
- Promoted by word and example
- Applied to all the organisation's activities
- Monitored to ascertain that they are implemented effectively
- Reviewed regularly to maintain their relevance

4.6 There is an effective procedure which ensures that complaints are addressed promptly

## 5. Trainee Support

5.1 Potential trainees are given relevant, accurate and objective advice

5.2 The occupational skills, knowledge, prior achievements and needs of trainees are systematically assessed on entry

5.3 Trainees' basic skills and, where applicable, key skills are systematically assessed on entry

5.4 The results of initial assessment are used to prepare a realistic training and development plan for each trainee

5.5 Trainees are given a well-planned induction to their programmes and are informed of their rights and responsibilities

5.6 Trainees have regular and frequent opportunities to discuss their progress with staff and are advised on how to progress

5.7 Personal counselling and advice are available to trainees to help them to complete their programmes successfully

5.8 Trainees are given up-to-date information and advice on opportunities for employment and progression

5.9 Trainees with learning difficulties or disabilities receive appropriate additional support

5.10 All aspects of support for trainees are fully documented and regularly reviewed

5.11 Managerial responsibility for trainee support is clear and comprehensive

## 6. Management

6.1 The training organisation's values, policies, strategies and targets are understood and supported by all staff, including sub-contractors and work experience providers

6.2 Managers implement policy effectively and they set and meet measurable targets for success

6.3 Managers establish co-operative relationships among the people and organisations involved in training

6.4 Managers take full responsibility for both on-the-job and off-the-job training

6.5 Staff are trained to be effective with trainees who have diverse needs and experience

- 6.6 Procedures are documented for the recruitment of staff, induction, appraisal and professional development
- 6.7 Staffing procedures reflect good practice in, and compliance with legislation on, EO
- 6.8 There is an appropriate staff development programme which helps trainers to improve the delivery of training
- 6.9 Internal and external lines of communication and accountability are clear
- 6.10 Staff understand their roles and they are effectively deployed
- 6.11 Managers encourage open debate among staff and acknowledge the efforts of individuals and staff teams
- 6.12 Accurate and current data are used to inform management decisions and action by staff

## 7. Quality Assurance

- 7.1 The training provider has clearly-documented quality assurance arrangements
- 7.2 Quality assurance is understood and implemented by all staff including sub-contractors
- 7.3 Quality assurance arrangements help to ensure that training is consistently of high quality across occupational areas and programmes and on all training sites
- 7.4 Quality assurance meets the requirements of external bodies
- 7.5 The training provider complies with training contracts
- 7.6 The training provider sets standards and targets and measures performance against them
- 7.7 The training provider rigorously monitors the effectiveness of the training provision and draws up action plans to address any weaknesses it may have

In the sections that follow, TSC, TEC EO Strategies National Standard and BEM requirements are in bold, and our prompt questions to help you assess your effectiveness follow on. All examples taken from TSC Inspection Reports are quoted verbatim.

# Key Questions and Suggested Sources of Evidence

This section is a practical tool to help training providers, and the TECs/CCTEs that support them, to undertake self-assessment based on the seven key areas identified by the Training Standards Council. Each section includes:

- Suggested sources of evidence – based on the TSC guidance. The key questions will give a clear indication of the kind of supplementary evidence that is likely to be appropriate. It will be characterised by one or more of the following:
  - sensitivity to the needs and views of trainees
  - an awareness of EO considerations such as access, inclusivity, flexibility etc.
  - a high level of trainee/client satisfaction with the particular service or area of provision under review
- examples of good practice – drawn from TSC reports and case studies submitted by TECs/CCTEs and training providers – quoted verbatim. These are not intended to be comprehensive, but to give you ideas.
- the TSC Quality Statements for each section, cross-referenced to the TEC EO Strategies National Standard and the Business Excellence Model (BEM) Standard.
- prompt questions to help you assess your effectiveness in practice. They are designed to suit your circumstances and relate to the Quality Statements above them. You may wish to photocopy sections for staff development sessions or for teams to discuss or amend. The most practical way to use them is to follow the guidance in Chapter 7 on self-assessment, and work through them on the proforma which lists all the prompts. You will find the proformas on disk and the TECtranet.

## Training & Assessment

### SUGGESTED SOURCES OF EVIDENCE

**Observation** and systematic evaluation and grading of training and assessment in action  
**Interviews** with trainees, trainers, work supervisors and assessors  
**Documentation relating to training and assessment**, such as  
 training materials  
 training programmes  
 labour market information  
 trainees' records  
 work-placement monitoring records  
 questionnaires issued to trainees and others and analysis of their responses  
 assessment materials  
 trainees' assessed work and portfolios  
 trainees' personal development plans  
 internal verifiers' reports  
 summary assessment records covering at least 3 years  
**External assessments**, such as those of awarding bodies and standards organisations  
**Feedback** from employers

Also:

Employers' recruitment records and EO policies

Northamptonshire has the lowest level of achievement among its peers at foundation levels 1 and 3. The proportion of the population from minority ethnic groups is 5.7%..... All trainees have significant barriers to finding employment, which arise from several causes, including low self-esteem, poor basic skills, learning disabilities, a history of offending or substance abuse and health problems. Trainees are all working towards milestones which are agreed on with the CFTE, and these usually include basic qualifications in literacy and numeracy..... The company monitors trainees' gender, ethnicity and disability. 40% of trainees who started on the programme during this contract year are women, 38% are from minority ethnic groups and 9% are those with disabilities... Work placement arrangements are scheduled to cater for trainees' needs. One Muslim trainee had special arrangements made to allow him to attend prayers on Friday afternoons.

Progressive People Ltd – (Extract from Inspection Report)

John is visually impaired, and has achieved an NVQ level 2 in Retail . He is employed within the DIY retail industry. He was nearly 21 when he joined the Training for Work programme. His ambition was to work in the retail industry, but his efforts to achieve this goal had previously been unsuccessful. With support from his Training Officer and the TEC, who provided him with a range of special equipment which included a Close Circuit Television for reading product codes, he was able to gain a Retail NVQ level 2 qualification. His work placement was so pleased with his work that they subsequently offered him employment, which he was pleased to accept.

Lincolnshire TEC

The company makes sure that all employers with which trainees are based are aware of its equal opportunities policy and the implications this has for their practice in the workplace. The company's policy is clearly written and displayed at all of its sites.

#### Strengths:

- Clearly stated and comprehensive equal opportunities policy and grievance policy displayed at all providers' sites
- Targeted schools contacted to address recruitment of under-represented groups
- Positive support for women and trainees with physical disabilities

#### Weaknesses:

Trainees' gender and ethnicity not monitored or analysed

Equality of opportunity not part of trainees' induction

Company's literature does not seek to promote equality of opportunity and the recruitment of under-represented groups

Apprenticeship Training Ltd - (Extract from Inspection report)

### Planning, documenting and delivering training

**Training is effectively planned, documented and delivered so that it meets the needs of trainees and employers and the requirements of awarding bodies and government programmes [TSC 1.1]**

**(Demonstrate) what the organisation is achieving in satisfying the needs and expectations of the community at large [BEM 8/ Impact on Society]**

What evidence do you have to show that...

- training programmes and related services reflect the diverse needs and aspirations of the local community?
- training programmes meet the EO requirements of employers, awarding bodies and government programmes?
- training plans address individual needs and aspirations, develop confidence and build on the diverse prior experience and achievements of individual trainees?

- staff are encouraged to use a variety of training methods to meet the range of trainees' learning needs and bring out the best in all trainees?
- resources are developed that take account of trainees' different characteristics (e.g. those relating to culture, religion, gender, disability, age and social background) and build on these in a positive way?
- sub-contractors, employers and others who supervise work experience and work placements are helped to support trainees with disabilities and those from other under-represented/prioritised groups?
- additional learning support is provided to enable all trainees to achieve proficiency in basic skills?
- trainees' development and achievements are recorded and regularly monitored?

**Please add any other questions which are appropriate to your organisation**

## Training Arrangements and effectiveness

**Training arrangements appropriately specify the following:**

**Standards**

**Objectives and expected outcomes**

**Content**

**Training methods**

**Learning opportunities for key skills**

**Time-scales for delivery**

**Assessment methods**

**Responsibilities for trainers, work supervisors and assessors**

**[TSC1.2]**

**Training is effective and learning opportunities on and off the job are used creatively to give trainees the skill and knowledge they need to achieve the required standards [TSC 1.3]**

**(Demonstrate) how the organisation identifies, manages, reviews and improves its processes [BEM 5/ Processes]**

What evidence do you have to show that...

- the methods you use to assess prior experience and learning (APEL) do not disadvantage trainees from under-represented/prioritised groups?
- initial skills assessments, for instance, in literacy, numeracy, and English for Speakers of Other Languages, are free from cultural and other unfair bias?
- encouragement is given to trainees for whom English is an additional language to learn and communicate in their first language, where appropriate?
- trainees with speech, hearing, or sight impairments are encouraged and enabled to participate in a range of training activities?
- training resources are planned and developed to take account of trainees' different characteristics (e.g. those relating to culture, religion, gender, disability, age and social background) and build on these in a positive way?
- resources and handouts are monitored to ensure that they are free from jargon and presented in a clear, accessible language and format?
- trainees are supported on work placements where they may be isolated due to their age, gender, sexual orientation, disability or ethnicity?
- employers and supervisors receive induction into EO?
- work placements and work experience are monitored to ensure that employers adhere to your organisation's EO policy?

**Please add any other questions which are appropriate to your organisation**

## Teamwork and co-operative working

**Trainers, work-based supervisors and assessors work as a team [TSC 1.4]**

**Trainers, work-based supervisors, assessors and trainees promote equality of opportunity [TSC 1.5]**

**There are good relations between trainers and trainees [TSC 1.6]**

What evidence do you have to show that...

- the work and training environment discourages discrimination and harassment?
- measures are taken to promote equality, co-operative working practices and respect for differences among staff and their teams, work-based supervisors and assessors?
- measures are taken to promote equality, co-operative working practices and respect for differences among trainees?

## Trainee consultation and feedback

**Trainees understand, influence and agree their training programmes [TSC 1.7]**

**Trainees are consulted about the effectiveness of their training [TSC 1.8]**

What evidence do you have to show that...

- steps are taken to consult trainees about their work placements, to negotiate individual learning plans and to identify appropriate work experience targets?
- trainees have opportunities to share work and training experiences and consider any race, gender or other equalities issues and concerns?
- feedback from trainees about their work experience is used to identify barriers and challenge and improve employers' attitudes and practices?
- feedback from trainees about their training experience is used to identify weaknesses and improve services and training provision?

**Please add any other questions which are appropriate to your organisation**

## Assessment

**Trainees understand how they will be assessed and what is expected of them [TSC 1.9]**

**Trainees are told regularly about their progress and how they can improve their performance [TSC 1.10]**

**Assessment procedures meet the requirements of awarding bodies [TSC 1.11]**

**Assessments are rigorous and fair [TSC 1.12]**

**Assessments cover the required skills and knowledge at the appropriate levels [TSC 1.13]**

**Assessment is fully documented and used to update the trainees' personal development plans [TSC 1.14]**

**What evidence do you have to show that...**

- trainees are given a clear explanation and understand the purpose of each assessment, the tasks they have to carry out, and the assessment criteria?
- assessment methods are used that address the range of trainees' learning needs, backgrounds, aptitudes, abilities and prior learning experiences?
- trainees' work is assessed fairly and they are given constructive advice on how it can be improved?
- staff and trainees are made aware of the different support available to trainees during formal assessments, such as mother-tongue dictionaries, specialist software or equipment?
- skills like child-rearing or running a community organisation are accredited through APEL wherever appropriate?
- the results of assessments are monitored, analysed and regularly reviewed according to race, gender, age, disability and other relevant criteria and the results used to set equality targets?
- action is taken if these equality targets are not met?
- trainees know how to appeal against assessments which they perceive to be unfair?
- assessment appeals are monitored, analysed and regularly reviewed according to gender, age, disability, ethnic group and other relevant criteria?
- action is taken to review and revise assessment procedures if unjustified disparities are identified?

**Please add any other questions which are appropriate to your organisation**



## Trainees' Achievements

### SUGGESTED SOURCES OF EVIDENCE

**Observation** of trainees and their work during training

**Interviews** with trainees, work supervisors and trainers

**Documentation relating to trainees' achievements** such as

trainees' records

trainees' personal development plans

examples of trainees' work and portfolios

documents on target setting

average rates of achievement as a proportion of the number of starters

internal verifiers' reports

documents relating to certification

regional and national averages for trainees performance

**External assessments** such as those of awarding bodies and standards organisations

**Feedback** from employers

*When a trainee is known to have special educational needs, one of the company's training officers contacts that trainee's school and, where appropriate, develops a programme giving continuity of support for the trainee. In one example, for a trainee with dyslexia, the provider had obtained agreement from the awarding body and the employer to allow it to help the trainee present portfolio evidence with pictures, photographs and audio tapes in order to minimise the need for written evidence.*

*Apprenticeship Training Ltd (Extract from Inspection Report)*

*The Lift Off Now Project aims to address the needs of young unemployed women with low or poor qualifications, living in areas of deprivation by providing access and support for women returners; raising awareness of opportunities for training, education and employment; and training mature women as mentors for other women in their area. The focus of the project is on confidence building, networking and encouraging commitment to training in the short term and to vocational qualifications and progression to employment in the long term. Mentors are offered the opportunity to gain a valid qualification in mentoring and counselling to enhance their employability.*

*Lincolnshire TEC*

## Goals and targets

**Goals are agreed with each trainee and they are documented [TSC 2.1]**

**Demanding targets for completion, qualification and progression are set and met [TSC 2.2]**

*What evidence do you have to show that...*

- training programmes are flexible enough to allow for varying needs and patterns of attendance?
- differential patterns of achievement, retention and completion by under-represented/prioritised groups are regularly monitored and analysed, and the results are used to inform strategic planning?

## Trainees' behaviour

**Trainees are punctual and attentive and they attend as required [TSC 2.3]**

**Trainees work without supervision when appropriate [TSC 2.4]**

What evidence do you have to show that...

- trainee punctuality and attendance is monitored according to ethnic group, gender, parental status, disability, age and other relevant criteria?
- disparities in attendance rates between under-represented/prioritised groups are investigated and supportive action is taken to reduce them?

### Comparative Achievements

**Success rates of individual training organisations compare well with local and national averages [TSC 2.9]**

**The EO strategy should include a detailed assessment of the success of its training programmes for young people and unemployed adults in providing equality of access and outcomes regardless of gender, race and disability [TEC EO National Standard 3]**

What evidence do you have to show that...

- your training provision is regularly monitored to ensure that it addresses the diverse learning needs of all trainees?
- trainees' patterns of achievement, retention and completion are regularly monitored, analysed and benchmark between different groups and against local/national averages?
- this data is used to assist staff when target setting, business planning and reviewing training provision?

**Please add any other questions which are appropriate to your organisation**

## Trainees' progress and achievement

**Trainees' work is of an appropriate standard and demonstrates requisite occupational competence [TSC 2.5]**

**Trainees' progress is monitored and recorded [TSC 2.6]**

**Trainees make significant progress towards fulfilling their goals and their potential [TSC 2.7]**

**Trainees' achievements are appropriately recorded and accredited [TSC 2.8]**

**(Demonstrate) what the organisation is achieving in relation to the satisfaction of its people [BEM 7]**

**The EO Strategy should demonstrate a broad assessment of current equal opportunities achievements in local education, training and enterprise activities influenced by the TEC/CCTE [TEC EO National Standard 2]**

What evidence do you have to show that...

- your organisation works with employers, awarding bodies and standards organisations in the process of agreeing and monitoring vocational standards?
- the internal verification process takes account of the diverse needs of all trainees?
- staff are helped to identify the different needs of trainees from under-represented groups and encourage the achievement of individual goals to help trainees achieve their full potential?
- trainees are helped to plan and organise their learning and review their progress?
- individual targets are monitored to ensure that trainees are meeting their goals, milestones and progression goals?
- your organisation's consortia and sub-contracting arrangements include accreditation systems that promote progression by trainees from under-represented/prioritised groups?
- trainees receive ongoing and exit guidance on individual progression and career options?
- transfers and progression between programmes are monitored to identify ethnic, gender, disability and other relevant patterns and this data is used when planning and reviewing provision?
- communications with trainers and future employers embody good EO practice?
- staff recognise and value individual competencies (e.g. bilingualism, parenting and caring skills) when evaluating trainee achievements?
- trainees from under-represented/prioritised groups are encouraged to acknowledge and celebrate their achievements?
- trainees' achievements are used in marketing and guidance to provide role models and give encouragement to trainees from under-represented/prioritised groups?

Please add any other questions which are appropriate to your organisation

## Resources

### SUGGESTED SOURCES OF EVIDENCE

**Observation** of resources, including adaptations made to premises, equipment, working methods, etc., to assist people with learning difficulties or disabilities and facilities for information TEC/training provider

**Interviews** with staff, work supervisors and trainees

**Documentation relating to resources** such as

Details of staff numbers, qualifications and experience

Staffing procedures

Inventories of equipment

Equipment maintenance and replacement plans

Accommodation utilisation records

**External assessments** such as those by awarding bodies, Investors in People, the British Standards Institute and the British Quality Foundation

**Feedback** from employers

Also:

Board policy on resource allocation for EO

*Simon has multiple disabilities which led to the early termination of a career in the armed forces. His disabilities included a degenerative condition of the spine and arthritis in both knees. He is now employed as an Information Technology Tutor within the operation of a national training organisation. Simon was very pessimistic when he joined the Training for Work programme where he aimed to achieve an NVQ 2 and 3 in Business Administration. However, he soon regained a positive outlook and found that his existing computer skills could be used to support his fellow trainees, an activity that he found very enjoyable. He eventually gained employment as a trainer within the field of Information Technology as a direct result of the skills and experience he gained on the Training for Work programme. Simon was supported through his programme by his local Training Office and the provision of a special chair, footrest and elevating writing table by the TEC.*

Lincolnshire TEC

[Lincolnshire TEC has produced a handbook on their Disability Resources Services. It includes information, contacts and case studies]

*Additional recruitment literature and information are available in Braille, and support staff, who are proficient in sign language, are readily accessible. All documents are clearly written. Induction sessions and training workshops have been carefully designed to integrate equal opportunities issues into all activities.*

*The Training and Development Team's offices and accommodation have been carefully adapted to allow full access to those employees with disabilities. There are wide aisles between workstations and also automatic doors opening to all areas. A resources budget is available to offer support-worker cover and to provide equipment modification to meet all staff needs.*

*Kirklees Metropolitan Council (Extract from Inspection Report)*

*Within the engineering section, the company has used its staff and machinery to manufacture a particular piece of apparatus to aid an employee with a physical disability in carrying out work more effectively.*

*Hotpoint Ltd (Extract from Inspection Report)*

## Staff as resources

**There are sufficient staff who have the skills, knowledge and qualifications to deliver training in each specialist occupational area to trainees of diverse backgrounds and with differing needs [TSC 3.1]**

**(Demonstrate) how the organisation manages resources effectively and efficiently [BEM 4/ Resources]**

**The EO strategy should include the TEC/CCTE Equal Opportunity commitments and practices as an employer [TEC EO National Standard 8]**

**What evidence do you have to show that...**

- your organisation's staff profile is representative and reflects its local community?
- the proportions of men and women, disabled people and people from different ethnic groups at various levels of the organisation are regularly monitored?
- your organisation takes account of the Positive Action provisions of the Race Relations, Sex and Disability Discrimination Acts in the recruitment, deployment and training of staff?
- EO considerations and criteria are integral to staff recruitment, selection, secondment and deployment procedures?
- staff responsible for the recruitment, selection and interviewing of job candidates are trained to take account of equal opportunity considerations and the relevant legal requirements?
- short-listing procedures take full account of the potential of applicants with non-traditional or overseas qualifications, transferable skills or experience and those who have had career breaks to raise children?
- job applicants are required to demonstrate their awareness of EO issues and their understanding of the needs of trainees from under-represented/ prioritised groups?

**Please add any other questions which are appropriate to your organisation**

## Staff Development

**(Demonstrate) how the organisation realises the full potential of its people**  
**[BEM 3, People Management]**

**The EO strategy should include the TECs/CCTEs equal opportunities commitments and practices as an employer [TEC EO National Standard 8]**

What evidence do you have to show that...

- job descriptions are clearly-worded and non-discriminatory?
- there are opportunities for staff who are under-represented at particular levels in the organisation to undertake development activities to enable them to build on their skills and experience and improve their chances of career progression?
- induction for new staff includes training on implementing your EO policy?
- data relating to staffing profiles, including qualifications, skills, disability, age, ethnicity and gender is collected and analysed?
- there is a designated budget for re-training and skills updating?
- staff are encouraged to update their skills and their knowledge of EO issues?
- staff are encouraged to fully contribute their experience, including relevant skills gained outside work?
- staff with unrecognised skills - for example, minority language speakers and signers – are identified and valued as a resource?
- steps are taken to reduce barriers and encourage full and equal participation in staff development activities?
- staff receive regular communications on implementing the organisation's EO policy?

**Please add any other questions which are appropriate to your organisation**

## Accommodation, equipment and facilities

**Trainees have access to accommodation, equipment and facilities which:**

**Help them to learn effectively**

**Reflect current practice in industry and commerce**

**Meet the requirements of awarding bodies**

**Conform to health and safety requirements**

**Are well maintained**

**Are used efficiently**

**Are adapted to assist those with learning difficulties or disabilities**

**[TSC 3.2]**

**(Demonstrate) how the organisation manages resources effectively and efficiently**

**[BEM 4/ Resources]**

What evidence do you have to show that...

- trainees and staff with mobility problems and other physical disabilities have access to buildings, training areas, common areas and other facilities?
- trainees who need access to specialist accommodation, equipment, resources or materials are identified and supported?
- your organisation has a plan for improving, upgrading or adapting buildings and training facilities to meet the needs of trainees and staff with disabilities and the requirements of the DDA?
- trainees are consulted about the specialist accommodation, equipment, training resources and materials they may need and its suitability?
- trainees with disabilities or learning difficulties can access non-standard equipment?
- specialist advice is given to staff on available resources and materials for trainees with disabilities or learning difficulties, and full use is made of them when needed?
- trainees for whom English is an additional language are supplied with appropriate learning aids, such as bilingual dictionaries and software?
- an ethos of equality and respect for diversity is encouraged on your organisation's premises through its information boards, posters, displays and the absence of graffiti?
- posters, exhibitions, displays of trainees' work and the general decor provides a welcoming, inclusive training environment and positive images for all trainees?
- a safe and secure environment is provided for all staff and trainees?
- facilities and services are made available to meet the needs of staff and trainees who are in a minority (e.g. older trainees, staff or trainees needing prayer facilities etc)?

**Please add any other questions which are appropriate to your organisation**

## Equal Opportunities

### SUGGESTED SOURCES OF EVIDENCE

**Observation** of training activities

**Interviews** with trainers and trainees

**Documentation relating to Equal Opportunities** such as

- Mission statements, charters, publicity and marketing materials
- Surveys of the views of staff and trainees
- Equal opportunities policy and procedures
- Policies on discrimination or harassment regarding race, gender, religion, age and sexual orientation
- Monitoring and evaluation arrangements
- Statistics on recruitment, achievement and progression
- Records of complaints and remedies
- Disability statements
- Staff recruitment and employment records
- Appropriate references to legislation relating to the welfare of young people
- Local data on equality of opportunity

**External assessments and guidance** from organisations such as awarding bodies, the EO Commission and the Commission for Racial Equality and evaluation of the providers contribution towards TEC/CCTE training provider minimum performance levels

*Equal opportunities issues are actively promoted throughout the organisation. The policy is reviewed and updated annually. Monitoring of the policy's effectiveness is rigorous. Advertisements for the school are targeted at high-unemployment areas with large numbers of those from minority ethnic groups. The promotional video distributed to potential trainees and career advisers clearly promotes equal opportunities. Selection criteria are well designed to avoid bias on the grounds of race or gender and are documented and reliably applied. A successful former trainee from a minority ethnic background is promoted as a role model, but awareness of equal opportunities issues remains low in the workplace. All published material involving the recruitment of trainees in stud breeding contains references to equal opportunities..... Currently 61% of trainees are women and 3% are from minority ethnic groups.*

British Racing School (Extract from Inspection Report)

*The promotion of equal opportunities is part of the culture of the organisation. It naturally pervades everything which staff and trainees say and do. A comprehensive policy is clearly expressed, covering gender, ethnicity and disability. The policy is actively promoted and the staff are proud of their achievements. Targets have been set for recruitment and trainees' achievements – these are an important part of the performance indicators for achieving equality of opportunity. Initial assessment is thorough, and trainees receive a certificate to record their attendance at a training day devoted to equal opportunities. The organisation's policy is to recruit more women; it has successfully directed its marketing toward this end. Special literature, advertisements and displays have been used for the purpose, and contact has been developed with women's groups. In the last intake, women accounted for over a quarter of all trainees. Staff and trainees reflect the ethnic and social diversity of the area. The plumbing trainer is a woman. The typical trainee is 27 years old, and 42% are white.*

Lewisham Directeam Community Refurbishment Scheme (Extract from Inspection Report)

*Equal opportunities open-learning packs provide a good overview of the main legislation covering gender, race and disability. Centre managers have to complete the packs themselves, and they then have to make sure that all new and existing staff complete the pack. The packs are assessed and the manager provides evaluative feedback. Staff have welcomed the initiative. There are plans to offer the packs to trainees as part of their induction.*

Lloyds Training Ltd (Sight & Sound Education) (Extract from Inspection Report)



Positive Action Training is a scheme designed to help people of all ages from minority ethnic groups living in Kirklees to gain work experience and skills, so that they can compete for jobs within Kirklees Metropolitan Council, particularly in areas of work where these groups are under-represented. Kirklees Metropolitan Council has used the Charter Standards 1995 criteria published by the Commission for Racial Equality as the basis for the Equalities 2000 strategy. All service departments complete, on a regular basis, an audit against the criteria and performance indicators. Services are expected to monitor action plans and report their progress on a quarterly basis to their service committee and the relevant equalities committees.

Kirklees Metropolitan Council (Extract from Inspection Report)

The company is rigorous in its application of equal opportunities policy at recruitment stage. Serious commitment to the policy at all levels within the company results in a high percentage of women in traditionally male-dominated engineering occupations. Employees with disabilities are supported and gainfully employed within the mainstream activities of the company. There are also employees from minority ethnic backgrounds at many levels in all departments of the company. The company actively seeks to recruit from under-represented groups. Its promotional literature positively promotes equality of opportunity by using images of both women and minority ethnic groups. Advertisements for vacancies carry a positive invitation to those from traditionally under-represented groups to apply. There is a genuine commitment from the top, and all senior staff undergo training in equality of opportunity and associated issues, as part of management training.

Hotpoint Ltd (Extract from Inspection Report)

## EO policy

**The training provider has an EO policy and implements procedures for furthering equality of opportunity which comply with legislation, meet the requirements of TEC/CCTE training provider contracts and demonstrate good practice [TSC 4.1]**

**The training provider's EO policy, procedures and action plans are:**

**Documented  
Understood and supported by all staff, including sub-contractors and employers  
Promoted by word and example  
Applied to all the organisation's activities  
Monitored to ascertain that they are implemented effectively  
Reviewed regularly to maintain their relevance  
[TSC 4.2]**

**Equality of opportunity is effectively promoted and managed [TSC 4.2]**

**(Demonstrate) how the organisation formulates, deploys, reviews and turns policy and strategy into plans and actions [BEM 2, Policy & Strategy]**

**The EO strategy should include a clear statement on the overall role of the TEC/CCTE in securing EO [TEC EO National Standard 1]**

What evidence do you have to show that...

- you have a 'live' EO policy that is understood and actively supported by both staff and trainees?
- the EO policy is widely distributed and publicised, both externally and internally?
- specific actions are required by the EO policy from all parts of the organisation?
- there is systematic implementation and on-going review of the EO policy?

- the EO policy is written in plain, accessible English and where appropriate is available in alternative formats (e.g. in Braille, large print, on audio tape or in the relevant community languages)?
- staff and trainees are given their own copy or summary of the EO policy and it forms part of their induction?
- staff and trainees are made aware of the implications of the EO policy and their responsibilities for implementing and adhering to it?
- senior managers fulfil their overall responsibility for putting the EO policy into practice?
- trainees and staff know who has overall responsibility for implementing the EO policy within your organisation?
- trainees and staff can take their EO concerns to a named member of staff?
- trainees and staff are consulted about the effectiveness of EO policies and procedures?

**Please add any other questions which are appropriate to your organisation**

## Marketing and promotion

**The EO strategy should include plans to publish information about the TEC/CCTE equal opportunity priorities, plans, targets and progress [TEC EO National Standard 7]**

### What evidence do you have to show that...

- EO policies, procedures and issues receive a high profile in your organisation's activities and operations?
- the marketing strategy projects your organisation's commitment to EO both as an employer and as a training provider?
- visual images and language used in your publicity materials reflect your organisation's commitment to equality?
- publicity materials are available in alternative formats, where appropriate (e.g. on audio tape, in Braille, large print, or translated into community languages)?

- the voluntary organisations, community groups, advertising and media outlets used to promote your training provision are representative and reach all under-represented/prioritised groups?
- targets are set for obtaining media coverage of your organisation's EO initiatives and achievements?

### Trainee selection and assessment procedures

#### **Procedures for selection and assessment guarantee trainees equality of opportunity [TSC 4.3]**

What evidence do you have to show that:

- selection and assessment procedures state clearly how they ensure fair treatment of all trainees
- the results of selection and assessment are monitored and analysed according to race, gender, age, disability and other relevant criteria and the data used when planning and reviewing provision?
- trainees receive appropriate support to enable them to be assessed fairly, taking account of their disabilities, language needs, etc.

**Please add any other questions which are appropriate to your organisation**

### Implementation of codes

#### **Staff and trainees are protected against discrimination and harassment [TSC 4.4]**

**There is an effective procedure which ensures that complaints are addressed promptly [TSC 4.5]**

**Plans to publish information about the TECs/CCTEs equal opportunities priorities, plans, targets and progress [TEC EO National Standard 7]**

What evidence do you have to show that...

- trainees and staff are made aware of the consequences and redress for racial, sexual and other forms of harassment?
- trainees and staff are made aware of their other EO rights and responsibilities and how to exercise them?
- trainees, including those on externally provided training programmes, are given information about the complaints procedure and what support is available?

- trainees are encouraged to report incidents of racial, sexual and other forms of personal harassment?
- complaints about harassment or discrimination by both trainees and staff are systematically monitored and prompt action is taken to redress them and prevent recurrence?
- training is given to staff responsible for advising and supporting victims of harassment or implementing other aspects of the grievance procedure?

**Please add any other questions which are appropriate to your organisation**

## Trainee Support

### SUGGESTED SOURCES OF EVIDENCE

**Observation** of initial recruitment, induction, assessment and guidance, advisory sessions for monitoring trainees progress and for setting new goals for trainees, careers and progression advisory sessions

**Interviews** with trainees, work supervisors, trainers, tutors and counsellors

**Documentation relating to trainee support** such as

Policies and procedures for assessment of prior achievement

Documents on initial recruitment, induction, guidance and assessment

Trainees personal development plans

Agreements, codes of conduct, charters or other statements of commitment between trainer and trainee

Documents on the additional learning support which is available

Documents relating to progression after completion of training and assessment

Questionnaires revealing trainee options

Policies relating to trainees with learning difficulties or disabilities

**External assessments** such as those by awarding bodies, employers, the Basic Skills Agency, the Careers service and agencies responsible for the welfare of trainees with learning difficulties and disabilities

*There is a strong ethos of support to trainees in STL. This culture is evident in the good initial assessment of potential trainees and the advice given in the comprehensive induction, drawing up training plans and discussion of how individual needs will be met on the programme. There are regular, effective progress reviews with counselling and further advice available, if required. Workplace visits and training are available for trainees with learning difficulties or disabilities. There is good pastoral support for trainees, both during and out of work hours.*

### Strengths:

- *tightly monitored recruitment*
- *comprehensive induction of trainees*
- *appropriate individual support for trainees during programmes*
- *outside agencies used where needed to provide specialist support*
- *regular progress reviews and monitoring*

### Weaknesses:

- *inspectors identified no weaknesses*

### Good practice:

- *Where trainees' problems are beyond the capacity of staff help, they are referred to specialist agencies for counselling and other care.*

Sheffield Trainers Ltd (Extract from Inspection Report)

*The Employment Guidance Service aims to offer high quality, professional adult guidance services to offenders across the county and to give them the opportunity to gain skills and qualifications and to compete in the labour market. The programme currently provides guidance to 330 offenders, 60 of whom have progressed into employment and 30 into training or education. The project is run in partnership with the Probation Service.*

Lincolnshire TEC

## Advice and guidance

### Potential trainees are given relevant, accurate and objective advice [TSC 5.1]

**(Demonstrate) what the organisation is achieving in relation to the satisfaction of its external customers (BEM 6, Customer Satisfaction)**

What evidence do you have to show that...

- arrangements for receiving new trainees are welcoming, flexible and include access to pre-entry advice and guidance?
- staff responsible for initial guidance are trained to recognise and address the particular needs of trainees from under-represented/ prioritised groups?
- guidance and placement staff are trained to make fair judgements that do not stereotype trainees' needs and abilities?
- trainees are encouraged to consider vocational routes traditionally associated with the other sex – for example, engineering or car mechanics for women, childcare or secretarial skills for men?
- potential and actual trainees for whom English is an additional language have access to guidance and APEL (Accreditation of Prior Experience and Learning) in their first language, where required?

## Initial assessment

**The occupational skills, knowledge, prior achievements and needs of trainees are systematically assessed on entry [TSC 5.2]**

**Trainees' basic skills and, where applicable, key skills are systematically assessed on entry [TSC 5.3]**

**The results of initial assessment are used to prepare a realistic training and development plan for each trainee [TSC 5.4]**

What evidence do you have to show that...

- measures are taken to assess individuals' special training needs at the point of entry?
- initial assessment is free from cultural and other inappropriate bias?
- the training and development plans of individual trainees address their different learning support needs identified by initial assessment?
- staff involved in initial assessment are encouraged to recognise and value bilingualism, parenting, caring and other relevant competencies?
- trainees who need access to specialist support, equipment and other resources to support their teaching and learning are identified at the point of entry?
- trainees are made aware of the different learning support available to them during initial assessment such as access to first language dictionaries or verbal assessment?

## Induction

**Trainees are given a well-planned induction to their programmes and are informed of their rights and responsibilities [TSC 5.5]**

What evidence do you have to show that...

- induction methods and handouts are appropriate to the diverse needs and abilities of all trainees and include a range of activities?
- induction sessions allow adequate time for discussion of EO issues?
- community languages, audio tapes and other appropriate methods are used to inform trainees about the learning support available to them?
- trainees are given information about the organisation's EO policy, their rights, responsibilities and legal entitlements and how to exercise them?

## Learning difficulties and disabilities

### **Trainees with learning difficulties or disabilities receive appropriate additional support [TSC 5.9]**

#### What evidence do you have to show that...

- staff are trained to address the needs of trainees with hearing or sight impairments, individual learning difficulties or different levels of competence in communication, numeracy and IT?
- trainees with speech, hearing or sight impairments are encouraged and enabled to participate fully in all learning activities?
- is specialist support and equipment made available to trainees with learning difficulties or disabilities?

**Please add any other questions which are appropriate to your organisation**

## Management

### **SUGGESTED SOURCES OF EVIDENCE**

**Interviews** with training managers, work-based supervisors, trainers, trainees and external stakeholders

**Documentation relating to management of training** such as:

- Mission statements
- Policy statements
- Strategic and operating plans
- Responses to the National Targets for Education and Training
- Agendas and minutes of meetings
- Organisation charts
- Job descriptions
- Staff handbooks
- Professional development policies and records
- Appraisal schemes and records of appraisal
- Output from management information systems
- Data on the effectiveness and efficiency of training

**External assessments** such as those of awarding bodies, the British Standards Institute, the British Quality Foundation, Investors in People, employers and TEC/CCTE training providers

**Strengths:**

- *comprehensive quality assurance systems*
- *quality assurance procedures understood by all staff*
- *regular and thorough review of quality procedures*
- *effective staffing structure for the management of quality assurance issues*
- *effective involvement of trainees in evaluation of training*

**Weaknesses:**

- *some practices not carried out uniformly across all centres*
- *no formal evaluation of data on trainees' destinations*

**Good Practice:**

- *A formal trainee forum has been established, allowing trainees to discuss and record issues about their training, which are then fed back to the ITEC's management for review and action, where appropriate.*

ITEC North East (Extract from Inspection Report)

**On-programme and pre-exit support**

**Trainees have regular and frequent opportunities to discuss their progress with staff and are advised on how to progress [TSC 5.6]**

**Personal counselling and advice are available to trainees to help them to complete their programmes successfully [TSC 5.7]**

**Trainees are given up-to-date information and advice on opportunities for employment and progression [TSC 5.8]**

**All aspects of support for trainees are fully documented and regularly reviewed [TSC 5.10]**

**Managerial responsibility for trainee support is clear and comprehensive [TSC 5.11]**

**What evidence do you have to show that...**

- trainees' progress is regularly reviewed and there are efficient procedures in place for referring individuals who need additional learning or personal support?
- trainees have access to English as an Additional Language (EAL), literacy and numeracy, IT, study skills and other kinds of learning support?
- staff are trained to discourage stereotypical assumptions based on race, gender, disability, age, religion, sexual orientation and other differences?
- support is available to individuals who experience difficulties due to isolation on training programmes or work placements (e.g. because they are the only trainee who is female, black, mature or disabled)?
- staff responsible for counselling, welfare, induction and trainee support are trained to identify and address the diverse needs of trainees from prioritised or disadvantaged groups?
- support or referral is available to trainees who wish to access advice, counselling or support from someone from a similar background to themselves (for example because of their personal, cultural or religious circumstances)?



- trainees who are particularly disadvantaged by employer discrimination are given advice and support?
- trainees receive up to date guidance about their employment/ progression/ career options?
- trainees' recruitment patterns, transfers between programmes and destinations are monitored, analysed and used to identify trends for under-represented/ prioritised groups?
- advice, guidance and recruitment staff take account of this data when reviewing their practice and procedures?
- practices and procedures that give rise to disparities in trainee progression are identified and revised?

**Please add any other questions which are appropriate to your organisation**

## Mission and policy promotion

**The training organisation's values, policies, strategies and targets are understood and supported by all staff, including sub-contractors and work experience providers [TSC 6.1]**

**(Demonstrate) how the behaviour and actions of the executive team and all other leaders inspire, support and promote business excellence as the best way to achieve the organisation's objectives [BEM 1, Leadership]**

What evidence do you have to show that...

- your mission statement and business plan stress your organisation's commitment to equality of opportunity, access and outcomes?
- staff and sub-contractors' understanding and support for the EO policy and targets are encouraged and regularly monitored?
- EO issues and targets are regularly discussed by staff and senior managers?
- your EO policy and targets are regularly reviewed with staff, trainees, sub-contractors and work experience providers?
- trainees, staff and others who influence your organisation's decision-making are consulted when developing or reviewing EO policy, strategy and targets?
- consultation with employers and external partners influences the development and review of EO policy and targets?

## Policy implementation

**Managers implement policy effectively and they set and meet measurable targets for success [TSC 6.2]**

**Managers establish co-operative relationships among the people and organisations involved in training [TSC 6.3]**

**Managers take full responsibility for both on-the-job and off-the-job training [TSC 6.4]**

What evidence do you have to show that...

- Chairs, Chief Executives and other senior managers regularly consider EO issues when planning or reviewing the organisation's strategies and operations?
- the EO policy is supported by an implementation plan, on-going staff development and regular review?
- EO targets are integrated into business and operational plans?
- your organisation uses performance indicators that take full account of EO issues?
- EO issues influence your procedures for observing and reporting on training?

**Please add any other questions which are appropriate to your organisation**

## Staff development

**Staff are trained to be effective with trainees who have diverse needs and experience [TSC 6.5]**

**There is an appropriate staff development programme which helps trainers to improve the delivery of training [TSC 6.8]**

What evidence do you have to show that...

- EO awareness underpins the development of business and operational plans?
- training for senior managers regularly addresses EO issues?
- there is regular staff development to promote good EO practice and awareness of the diverse needs of trainees?
- staff development and other initiatives actually lead to improved EO practice?

## Human resource management

**Procedures are documented for the recruitment of staff, induction, appraisal and professional development [TSC 6.6]**

**Staffing procedures reflect good practice in, and compliance with legislation on, equal opportunities [TSC 6.7]**

**Staff understand their roles and they are effectively deployed [TSC 6.10]**

What evidence do you have to show that...

- a senior manager has overall responsibility for the implementation and review of the EO policy?
- EO considerations are integral to staff recruitment, selection, induction, development and appraisal activities?
- job descriptions include responsibility for promoting and implementing EO policy?
- appraisals lead to professional development opportunities for all staff?
- staff know how to operate the appeal procedure for individuals who are unhappy with their appraisal outcome?

**Please add any other questions which are appropriate to your organisation**

## Communication

**Internal and external lines of communication and accountability are clear [TSC 6.9]**

**Managers encourage open debate among staff and acknowledge the efforts of individuals and staff teams [TSC 6.11]**

What evidence do you have to show that...

- managers communicate regularly with staff about management aims and objectives in relation to equality issues?
- individuals and staff teams are actively supported and encouraged to achieve EO targets?
- there is regular discussion and staff 'ownership' of EO issues and targets

## Management of information

### **Accurate and current data are used to inform management decisions and action by staff** **[TSC 6.12]**

#### What evidence do you have to show that...

- the following areas are regularly monitored by gender, ethnicity, age, disability and other relevant factors:
  - trainee applications and placements?
  - trainee distribution by training programme area?
  - retention rates?
  - assessment results and qualifications?
  - work placements?
  - use of learning support?
  - progression to further training or work?
  - employment destinations?
  - grievances and disciplinary action?
  - staff recruitment applications?
  - promotion and progression of staff?
- consistent data is collected to help identify inequalities in training provision and the labour market?
- data is produced in a user-friendly format and used to help improve services, training provision and/or employment practices for under-represented/ prioritised groups?
- management information assists staff to monitor and review EO targets?
- disparities in staff and trainee recruitment are analysed according to ethnicity, gender, age, disability and other relevant factors?
- steps are taken to address any trainee under-representation identified, working with local employers, colleges and voluntary organisations?
- trainees' patterns of achievement, retention and completion are regularly monitored, analysed and benchmarked between different groups and against local and national averages?

**Please add any other questions which are appropriate to your organisation**

## Quality Assurance

### SUGGESTED SOURCES OF EVIDENCE

**Interviews** with managers, trainers, trainees and external stakeholders

**Documentation relating to quality assurance** such as:

- Policies and procedures
- Sub-contract and franchise agreements
- Contract compliance records
- Reviews, action plans and statistics relating performance to targets
- Internal verifiers' reports
- Analysis of trainee performance and outcomes
- Questionnaires, surveys and analysis of responses
- Self-assessment reports and supporting evidence

**External assessments** such as those of awarding bodies, the British Standards Institute, the British Quality Foundation, the European Foundation for Quality Management, Investors in People, employers, TEC/CCTE training providers and government organisations

Also:

- Marketing plans
- Evaluation procedures
- Audit and external verification reports
- QA procedures manual

*Each intake group nominates trainees' representatives. They meet a manager once a month to discuss problems and matters of mutual interest. Representatives have an open invitation to all steering group meetings and they attend regularly. Frequent meetings are arranged for all women trainees, so that they provide each other with mutual support and have an opportunity for discussion of common issues.*

**Lewisham Directteam Community Refurbishment Scheme**

*Recently reviewed equal opportunities monitoring of applications to the programme, in consultation the EOE at GNTEC. They already have a good monitoring system which is region-wide, which ensures that the equal opportunities information collected is not linked in any way to the application itself. Form is well-phrased and concise, explaining clearly why the information is collected, and for what purpose it will be used. A new system is now being used that will extend the monitoring to cover the application/testing/entry/exit stages. In addition to normal baseline data, this will identify ethnicity, gender, age, and whether someone has a disability, of people who drop-out at each stage. This data can therefore be analysed for trends which need addressing, for example, if disproportionate numbers of a particular gender drop-out after testing.*

**EMTEC**

### Quality Assurance Procedures

**The training provider has clearly-documented quality assurance arrangements [TSC 7.1]**

**Quality assurance is understood and implemented by all staff including sub-contractors [TSC 7.2]**

**Quality assurance arrangements help to ensure that training is consistently of high quality across occupational areas and programmes and on all training sites [TSC 7.3]**

**(Demonstrate) what the organisation is achieving in relation to its planned objectives and in satisfying the needs and expectations of everyone with an interest or stake in the organisation [BEM 9, Business Results]**

**The EO strategy should include a statement of how progress will be monitored and the impact of the strategy evaluated [TEC EO National Standard 5]**

What evidence do you have to show that...

- quality assurance arrangements are communicated to, understood and supported by all staff, including sub-contractors?
- staff appraisal and professional development are an integral part of quality assurance?
- records of trainees' complaints are periodically reviewed to identify any failure to implement the EO policy and whether appropriate action has been taken?

## Compliance with external requirements

**Quality assurance meets the requirements of external bodies [TSC 7.4]**

**The training provider complies with training contracts [TSC 7.5]**

**(Demonstrate) what the organisation is achieving in relation to the satisfaction of its external customers [BEM 6, Customer Satisfaction]**

What evidence do you have to show that...

- your quality assurance arrangements meet the requirements of examining, awarding and accrediting bodies with respect to fair assessment?
- comments from external verifiers and moderators are acted upon?
- EO considerations and standards are integral to your organisation's contracts and negotiations with employers and sub-contractors?
- training contracts are monitored for compliance with EO policy and standards, as part of your quality assurance process?
- clear job descriptions that support vocational training are agreed prior to the commencement of work placements?
- a named supervisor is involved in developing individual training plans and supporting and reviewing trainees' progress while on work placement?

**Please add any other questions which are appropriate to your organisation**

## Monitoring performance

**The training provider sets standards and targets and measures performance against them [TSC 7.6]**

**The training provider rigorously monitors the effectiveness of the training provision and draws up action plans to address any weaknesses it may have [TSC 7.7]**

**(Demonstrate) how the organisation formulates, deploys, reviews and turns policy and strategies into plans and actions [BEM 2]**

**The EO Strategy should demonstrate clear priorities and plans for carrying out its equal opportunities role, including quantified and time-bound targets for removing inequality in training programmes in terms of race, gender or disability [TEC EO National Standard 4]**

What evidence do you have to show that...

- your organisation has identified benchmarks, and developed standards, targets and performance indicators relating to EO that inform all aspects of its work?
- your EO policy and action plan are systematically monitored and reviewed as part of your quality assurance process?
- the standards which trainees from under-represented/ prioritised groups can expect are explicit in the trainees' charter and other information they receive?
- management, staff and trainees' performance against EO standards, targets and performance indicators is monitored and documented as part of the quality assurance process?
- trainees, staff and community representatives are actively consulted when setting and reviewing targets?
- management information is used to assist staff and sub-contractors to monitor and achieve their EO targets?
- information about EO actions and improvements is fed back to trainees and staff to demonstrate the organisation's commitment to continuous improvement in this area?
- the strengths and weaknesses of the organisation's work in relation to EO are highlighted in the annual self-assessment report and addressed in strategic planning?
- changes or improvements are identified in areas where equality targets are not met?
- trainees' views on your organisation's success in delivering equality of opportunity are actively sought and considered?
- responses to surveys of trainees' views are analysed according to ethnicity, gender, age, disability and other relevant criteria?
- Board members, staff, employers and community representatives have opportunities to comment on your success in promoting and delivering equality of opportunity to trainees and employees?

**Please add any other questions which are appropriate to your organisation**

# Legal Framework

## Legal Requirements

You and the employers you deal with are responsible for ensuring that no unlawful discrimination on grounds of race, sex or disability takes place in the provision of training or other services, or against applicants. You also have a responsibility to ensure equality of opportunity for employees and others contracted to work for the TEC/CCTE or training provider.

Executive and non-executive board members and senior managers should note that an employer is liable for any discriminatory act by an employee in the course of his or her employment. The fact that a discriminatory act was done without the employer's knowledge or consent provides no defence in law, unless the employer can show that all reasonably practicable steps were taken to prevent such discrimination<sup>5</sup>. TECs/CCTEs are also liable for the acts of their agents. It is also unlawful for an employer to issue instructions to discriminate or bring pressure on another party – for example, an employment agency or training provider – to commit an act of unlawful discrimination.

## Government Requirements

As a condition of its licence, each TEC/CCTE is required to have a strategy to ensure EO in terms of access to, treatment in and outcomes from all government-funded training, regardless of gender, race or disability.

TECs/CCTEs and their providers/ suppliers are required to:

- ensure that individuals are not discriminated against on the grounds of race, sex or marital status
- ensure that the organisation's procedures, policies and actions comply with the Race Relations Act, the Sex Discrimination Act and the Disability Discrimination Act, and are not unlawfully discriminatory
- promote EO between men and women and different ethnic groups
- take positive action, where necessary, to redress any unjustified disparities by ethnic group or gender, such as gender stereotyping in work-based training programmes

## Role of the Commissions

The Commission for Racial Equality (CRE) and the Equal Opportunities Commission (EOC) promote good EO practice and work in partnership with a wide range of agencies in fulfilling their duties. They have legal powers to investigate allegations of race and sex discrimination and publish their findings. They can also assist individuals to bring complaints of discrimination before Employment Tribunals and the appellate and county courts. Only the Commissions can bring action in cases involving pressure or instructions to discriminate.

Like the CRE and the EOC, the proposed Disability Rights Commission, when established, will have the power to enforce legislation and investigate individual complaints of discrimination against people with disabilities<sup>6</sup>. It will work also towards eliminating discrimination, provide information and advice, prepare codes of practice, keep the working of the Disability Discrimination Act under review, and arrange for a conciliation service between service providers and disabled people to help resolve disputes in regard to access to goods and services. The Commission will be operational from spring 2000 and will have offices in England, Scotland and Wales. It will be composed of 10-15 Commissioners, most of whom will be people with disabilities.



Advice is available from the EOC, the CRE on measures to prevent sex and race discrimination. The CRE and EOC have published detailed codes of practice for employers which have statutory force:

- Code of Practice for the Elimination of Racial Discrimination and the Promotion of Equality of Opportunity in Employment (CRE)
- Guidelines for Equal Opportunities Employers [EOC]
- EOC Code of practice for the elimination of discrimination on the grounds of sex and marriage and the promotion of equality and opportunity in employment (EOC)
- EOC Code of Practice on Equal Pay (EOC)

Failure to follow these recommendations can be cited as evidence in a case of discrimination brought against an employer. The CRE has also published a Code of Practice for education. The CRE's legal powers are set out in *Enforcing the Race Relations Act*.

## Relevant provisions of the Sex Discrimination Act 1975 and the Race Relations Act 1976

Training providers are brought under the Sex Discrimination Act 1975 (SDA) and the Race Relations Act 1976 (RRA). The Acts define three main types of discrimination:

- Direct discrimination occurs when a person is treated less favourably than others on grounds of sex, marital status or race. The Race Relations Act defines 'racial grounds' as race, colour or nationality (including citizenship), and ethnic or national origins (RRA s1(1)(a); SDA 1(a)(1))
- Indirect discrimination occurs when a rule or condition or requirement which applies equally to everyone has a disproportionately adverse effect on people from a particular racial group, or on one sex, or a married person of the same sex, and there is no objective justification for the rule (RRA s1(1)(b), s28; SDA s1(b)(1), s3(1)b, S37)
- Victimisation occurs when a person is discriminated against for taking action under the Race Relations Act or the Sex Discrimination Act, or for supporting such action by another (RRA s2; SDA s4(1))

### Instructions or pressure to discriminate

Both Acts make it unlawful to bring pressure on a person, or to instruct them, to discriminate on grounds of sex or race; or to aid another to discriminate unlawfully (RRA s30, s31, s33; SDA s39, s40, s42).

### Liability

Vicarious liability covers the acts of both employees and agents (RRA s32; SDA s41).

### Discrimination in Training provision

It is unlawful to discriminate on the grounds of race, sex or marital status in the provision of vocational training (RRA s13; SDA s14). Case law has found also it is unlawful not to allow women to work part-time (e.g. after maternity leave).

## Discrimination by employers

It is unlawful for an employer offering employment opportunities, say under a Modern Apprenticeship, to discriminate against applicants and employees on the grounds of their sex or marital status (SDA s6). It would also be unlawful for an employer who is offering vocational training opportunities but not employment to discriminate (SCA s14). Where the TEC/CCTE or training provider is acting as an employer, they would be covered by Section 6 of the SDA.

## Other discrimination:

It is unlawful under both Acts to:

### Discriminatory advertisements:

- publish an advertisement that is discriminatory on grounds of race or sex (RRA s29; SDA s38).

### Qualifying bodies

- discriminate in conferring vocational or professional qualifications (RRA s12,, SDA s13)

### Goods, facilities and services

- discriminate in the provision of goods, facilities or services to the public or sections of the public (RRA?, SDA s29)

### Education

- to discriminate in recruiting students or providing access to benefits, facilities or services

TECs/CCTEs and training providers must comply with those parts of both Acts that relate to discrimination in employment. They must also observe the general prohibitions against discrimination in access or 'indirect access' to goods, facilities and services they provide (RRA s20, s40; SDA s29, s50). 'Indirect access' would apply to the actions of agents providing services as contractors or franchisees.

It should be noted that any employee, regardless of length of service, and any trainee, regardless of part/ full-time status or length of time spent in training, is entitled to make a claim under the SDA and the RRA.

## Positive action

It is lawful under both Acts to provide training and encouragement for people of a particular racial group, or either sex, who have been underrepresented in certain occupations or grades during the previous 12 months (RRA s37, s38; SDA s47). It is also lawful to address any special educational, training or welfare needs identified for a specific racial group (RRA s35) and to provide training and encouragement for returners to the labour market after a period of time discharging domestic or family responsibilities (SDA s47(3)). Encouragement might include targeted advertising and recruitment literature, reserving places for one sex on training courses or providing taster courses in non-traditional areas.

## Sex Discrimination (Gender Reassignment) Regulations 1999

The new regulations to amend the SDA "Sex Discrimination (gender Reassignment) Regulations 1999" clarify and confirm the position, i.e. that transsexuals are protected in the employment and vocational training field in the public and private sector by the Sex Discrimination Act 1975. Guidance for employers issued by the DfEE is also available.

## Relevant provisions of the Disability Discrimination Act 1995

### Summary

The Disability Discrimination Act 1995 (DDA) aims to tackle discrimination against disabled people. It applies to TECs/CCTEs and training providers as suppliers of goods, facilities and services and as employers. Training is considered to be part of “goods and services” so all training provision falls within the Act, as does European and privately funded provision. However training by an employer, or on behalf of an employer when acting as an agent, would fall within the employment provisions. Employers employing 15 or more employees comes into the scope of the employment provisions of the Act. Providers of goods, facilities or services - whatever their size - are covered by the act.

### Definition of disability

The DDA defines a disabled person as someone with “*a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities*” (s. 1). A *long-term effect* is one which has lasted or is likely to last for at least 12 months (Sch. 1). Statutory guidance that a *substantial effect* is one which is more than minor or trivial. The Act also says that the definition applies to people who have had a disability in the past (Sch. 2). Those covered by the Act can include people whose ability is affected in one of the following: mobility, manual dexterity, physical coordination, continence, ability to lift, carry or otherwise move everyday objects, speech, hearing or eyesight, memory, or ability to concentrate, learn or understand or perception of the risk of physical danger. *Mental impairment* includes learning disabilities, and mental illnesses but only if they are clinically well-recognised mental illnesses.

### Discrimination

Discrimination under the DDA occurs where:

- a disabled person is treated less favourably than someone else for a reason relating to the disability, without justification (s.5 & s.20)
- an employer or service provider fails without justification to make a reasonable adjustment (s.6 & s.21)
- any person (disabled or not) is victimised for bringing, or helping someone bring, a complaint of discrimination under the DDA (s.55)

Vicarious liability covers the acts of both employees and principals (s.58)

The requirements to make justifications and adjustments apply rather differently to employers and service providers and are described in the relevant sections below.

### Employers

- Unless the treatment is justified, the employer must not treat any employee or job applicant less favourably, because of a reason relating to his or her disability, than other people to whom that reason doesn't apply. If the employer cannot justify such treatment, then it is discrimination (s.5).
- The employer must take any steps which are reasonable to reduce or remove any substantial disadvantage which a *physical feature* of the premises or the *employment arrangements* causes a disabled employee or job applicant compared to a non-disabled person (s.6). If necessary,

employers should consider the need for adjustments at each stage of employment - interview arrangements, induction arrangements, terms and conditions, promotion, transfers, training, dismissal, and any benefits (eg social clubs and bonuses). In deciding whether an adjustment is reasonable, a number of factors could be taken into account including its effectiveness and practicability, financial and other costs, the extent of the employer's resources and the availability to the employer of other resources. Failure to make a reasonable adjustment without justification is also discrimination. The concept of reasonable adjustment can deal with many cases of what, under the SDA or RRA might be called *indirect discrimination*.

- A justification must be both material to the particular circumstances and substantial (s.5). The reason, therefore, must be both relevant and something more than trivial or minor. The burden of proof is on the employer.
- An employer cannot justify less favourable treatment of a disabled person for a reason related to the disability where the reason for the treatment can be removed, or made less than substantial, by a reasonable adjustment.

### Other discrimination by employers

**Advertising.** In contrast to the SDA and RRA, an advert which might indicate an intention to discriminate is not unlawful under the DDA. An advert, can however, be used to raise a presumption of discrimination under certain conditions at situations at an employment tribunal (s.11).

**Positive discrimination.** Unlike the SDA and RRA, the DDA does not prevent employers from putting in place arrangements that provide more favourable treatment to disabled people than non-disabled people.

### Service Providers

- Unless the treatment is justified, providers of goods, facilities and services ('service providers') must not treat any disabled customer less favourably for a reason related to his/her disability than any other customers to whom that reason does not apply. Until 30 September 1999 less favourable treatment means refusing to serve a disabled person, or providing the service to a lower standard or on worse terms. If the service provider cannot justify such treatment, then it is discrimination (s.20).
- Less favourable treatment can only be justified if, in the opinion of the service provider, one or more of 5 prescribed conditions is satisfied, and it is reasonable for the service provider to hold that opinion (s.20 (4) ).

### New duties on service providers

Additional duties on those providing their goods, facilities and services ('service providers') come into force from October 1999. Service providers will then be required to take reasonable steps to

- change any practice, policy or procedure which makes it impossible or unreasonably difficult for disabled people to use a service (s.21(1)).
- provide an auxiliary aid or service which would facilitate or enable disabled people to use a service (s.21(4)).
- overcome physical barriers which make it impossible or unreasonably difficult for disabled people to use a service by providing it by a reasonable alternative method (s.21(2)).

Until 2004 Regulations will provide that when providing auxiliary aids, service providers will not be required to do anything that would involve a permanent alteration to premises, fixtures or fittings.

From 2004, service providers will also be required to:

- overcome physical barriers which make it impossible or unreasonably difficult for disabled people to use a service by either removing or altering them or by providing a reasonable means of avoiding them.

Although **education** is specifically excluded, the Act requires that various bodies, including further education colleges, publish disability statements, giving information about their facilities for people with disabilities and report to the Government on their progress and future plans for providing for people with disabilities. The information contained in college disability statements should cover: overall policy, admission arrangements, educational facilities and support arrangements, complaints and appeals procedures, counselling and welfare support, and physical access.

The Disability Discrimination Act Helpline offers information, advice on where to go for specialist help, materials in a range of formats and general good practice guidance on employing disabled people.

<sup>5</sup> According to the EOC, such practical steps might include staff training, briefings, codes of conduct, guides on good practice and regular monitoring by ethnic group, gender and individual learning needs

<sup>6</sup> Detailed advice on the current and future implications for education and training providers of the 1995 Disability Discrimination Act is available from Skill (see Appendix) The DDA helpline number is 0345 622 633.

## Other legislative equal opportunities considerations

### Human rights legislation

The Human Rights Act became law in 1998 and will come into effect as soon as possible, there is a need to train the judiciary. It incorporates most of the articles of the European Convention of Human Rights and will enable any individual in the UK who considers themselves to have been a victim of a human rights violation to challenge a public authority (e.g. local or central government, the courts, the police etc.) in the courts or tribunals.

### Harassment

Harassment and bullying occurs when a person is subjected to unwelcome or inappropriate behaviour that undermines, demeans, offends, insults or injures them; creates an unpleasant working or learning environment; and/or threatens their job security or promotion prospects. It often stems from assumptions based on stereotypes about a person's difference, and is most likely to affect women, minorities or those who lack power within the organisation.

Case law has determined that racial and sexual harassment are forms of unlawful discrimination and may be challenged in the courts under the RRA and SDA. It is likely that case law will also determine that disability-related harassment can be challenged as unlawful under the DDA. Employees may be entitled to take legal action for racial, sexual, disability and other forms of harassment using existing employment or health & safety legislation.

The Protection from Harassment Act 1997, makes harassment a criminal offence and a civil tort – employers may have a vicarious liability as although the individual is the one against whom action will be taken, the legislation will also provide an additional remedy for those subjected at work or outside work to harassment.

The Public Interest Disclosure Act 1998 (commonly known as the 'Whistleblower's Charter') provides protection for 'workers' disclosing information in the public interest – this includes when a criminal offence has been, is being or is likely to be committed; a person has failed, is failing or is likely to fail to comply with a legal obligation, etc.

### Employment Rights Act (1996)

Employees who have worked for the same employer for at least two years, whether full-time or part-time, who consider themselves to have been unfairly dismissed, may be able to make a claim under the Employment Rights Act 1996 (ERA). This includes employees who feel they have been forced to leave a job because of the conduct of the employer (constructive dismissal).

A complaint of unfair dismissal can accompany a complaint under the SDA or RRA if the dismissal occurred because the employee, for example:

- Refused to comply with sexual demands/ was subjected to racial harassment
- Made a complaint regarding sexual/ racial/ disability harassment
- Responded to sexual/ racial/ disability harassment by hitting the harasser
- Took time off work due to illness/ stress caused by the harassment
- Was selected for dismissal on grounds of race, sex or disability

An employee has the right to terminate their employment without notice under contract law if, because of the employer's conduct, they consider themselves to have been constructively dismissed. If an employer harasses an employee, or knows of their harassment and fails to take reasonable steps to stop it or prevent its recurrence, the employee may be entitled to treat this as a breach of the implied contractual terms of trust and confidence. In the event of a serious breach, the employee is entitled to resign and claim constructive dismissal.

Employees who believe themselves to have been harassed due, for example, to their age, marital status, religious conviction or because they are gay or lesbian, may also be entitled to claim unfair or constructive dismissal under the ERA. However, this is not an appropriate course of action for trainees.

### Health and Safety at Work Act (1974)

According to this Act, all employers have a duty so far as is 'reasonably practicable' to ensure the health, safety and welfare of their employees. Harassment and bullying at work is increasingly recognised as a serious health hazard because of the stress it can cause. An employee who is under stress is less effective and more likely to act erratically or carelessly, putting themselves and others at risk.

If an employer fails to respond to complaints about harassment and the complainant's health and ability to work suffer as a result, like any other health and safety issue, employees are entitled to pursue this through internal procedures, the relevant statutory enforcement bodies or the civil courts.

*Employees who believe themselves to have been harassed due, for example, to their age, marital status, religious conviction, disability or because they are gay or lesbian, may also choose to pursue their complaint citing the Health & Safety at Work Act. However, this is not an appropriate course of action for trainees.*

### Non-legislative equal opportunities considerations

Despite the fact that only race, sex and disability discrimination are currently illegal in the UK, most EO policies acknowledge the many other groups who are potential or actual targets of discriminatory attitudes and practices. Where TECs/CCTEs and training providers are concerned, these include:

- Women / men
- People with disabilities
- People from ethnic minorities
- Older people
- Ex-offenders
- People needing help with
  - literacy or numeracy
  - English for Speakers of Other Languages (EOSL)
  - behavioural difficulties and learning difficulties
- People who have experienced long-term unemployment
- People who have experienced difficulties due to drug or alcohol abuse
- People who have experienced difficulties due to homelessness

There is an important distinction to be made between a training provider's ability to increase trainee numbers and its commitment actively to increase access, participation, completion and achievement by all sections of the community. Your EO policy should take account of the discrimination faced by all under-represented/ prioritised groups and make an active commitment to dismantling the barriers that could discourage their participation and inclusion.

## Age

Age discrimination involves judging an individual's abilities or worth on the basis of their chronological age. Assumptions may be made about the capacity of older staff to learn new skills or adapt to new ways of working, for example, affecting their recruitment and promotion prospects; or about younger students' attitudes to learning, resulting in inappropriate guidance. A Code of Practice on Age Diversity will be published in Spring 1999.

Although age discrimination does not, as yet, constitute a form of unlawful discrimination, it has been found in the courts constitute a form of unlawful indirect sex discrimination. For example, an upper age limit of 28yrs for a post was deemed to have indirectly discriminated against women because it precluded a significant number of women who were engaged in bringing up children (*Price -v- Civil Service Commission, 1978; ICR 27, IRLR 3*). Your EO policy should therefore include a commitment not to discriminate on the grounds of age.

The full cycle of employment is covered by the Code of Practice and addresses the following issues:

**Recruitment** – recruitment on the basis of the skills and abilities needed to do the job;

**Selection** – selection on merit by focusing on application form information about skills and abilities and on performance at interview;

**Promotion** – base promotion on the ability, or demonstrated potential to do the job;

**Training and development** – encourage all employees to take advantage to relevant training opportunities;

**Redundancy** – base decisions on objective, job-related criteria to ensure the skills needed to help the businesses are retained;

**Retirement** – ensure that retirement schemes are fairly applied, taking individual and businesses needs into account.

It is recommended that, where appropriate, TECs/CCTEs and training providers include Age as a monitoring category for measuring participation, as well as ensuring that recruitment procedures, learning opportunities, publicity materials and other services and facilities do not reinforce ageist assumptions or stereotypes.

## Ex-offenders

The needs of Ex-offenders can vary considerably. Ex-offenders are frequently subjected to discriminatory attitudes and assumptions and are likely to face barriers in trying to access job opportunities and training as a direct result of having a criminal record. A high proportion of ex-offenders will have poor literacy and numeracy skills and experiences of drug or alcohol abuse, mental health difficulties, homelessness or combinations of these problems. As a result, some may be under-achievers or have low self esteem. Their experiences may also have left them feeling cynical of those in authority. Support for ex-offenders is best delivered in partnership with several agencies, requiring effective communication, co-ordination and a clear understanding of their different roles. The main players are likely to be the Employment Service, training providers, the Probation Service and Social Services.



## Rehabilitation of Offenders Act (1974)

The Rehabilitation of Offenders Act (1974) allows for certain criminal convictions to become ‘spent’ after a period of time determined by the length of the sentence received. However, certain jobs are exempted, including:

- teachers, youth workers, childminders and social workers
- police and probation officers
- people who work in the NHS or the medical professions, including nurses, dentists and chemists
- people who work in the legal professions, including lawyers and accountants
- people who work in jobs where national security may be at risk, including civil servants
- people who work in jobs providing accommodation, care, leisure and recreation services
- anyone whose work involves access to children, the elderly, the chronically sick, drug or alcohol dependants, or to people with a mental or physical disability

This has implications both for employers and providers of vocational training. Where trainees are involved in practice or work experience placements involving access to children, for example, police checks are compulsory. The requirement to declare past convictions should therefore be made clear to applicants in publicity materials and guidance interviews, where appropriate, and there should be an explicit undertaking to respect confidentiality.

### Police Checks

A 1986 amendment to the Rehabilitation of Offenders Act requires those with substantial access to young people to declare any criminal conviction, and recommends that newly appointed employees be subject to a police check. Police checks are not compulsory. They must be made with the permission of the applicant, although a refusal to give consent is grounds for non-appointment.

### Lone parents

Lone parents are a separate economic group who face specific barriers to training and employment. They share many of the difficulties faced by women returning to the labour market, including reliance on benefits which can complicate decisions to return to work. The majority are not required to sign on as available for work, meaning that there is no contact with the Employment Service and they do not access available support for people wishing to return to work or training. Returners<sup>7</sup> are recognised by the SDA as a category of people who are in special need of training because of this. The type of training that can be offered includes targeted provision, as well as recognising them as a special category during selection for training courses (See EOC leaflet ‘Positive Action in Vocational Education & Training’). Returners may also need additional learning support such as study skills, childcare services or financial assistance.

### Multiple discrimination

It is important to remember that, while there are clear and specific examples of different kinds of discrimination outlined in this section, trainees and staff are not one-dimensional individuals and may therefore be vulnerable to more than one kind of discrimination or harassment. TECs/CCTEs and training providers should aim to reflect this in their EO policies, ensuring that their monitoring categories, publicity and resources reflect the complexity and diversity of the many different individuals who make up the local community.

<sup>7</sup> Returners are defined in the SDA as people who have been out of the labour market for a period of time discharging domestic or family responsibilities. While the majority are women, some men also fall into this category.

## People from ethnic minorities

People from ethnic minorities are twice as likely to be unemployed as white people. They are under-represented in occupational sectors and in jobs which offer higher pay and greater job security. The evidence shows that racial discrimination is the biggest single cause of these disparities. However, the lack of positive role models and stereotyping by teachers, trainers or employers also contribute to lower expectations, resulting in loss of motivation and under-achievement. Employers and training providers may be unwilling to value cultural diversity or respect alternative ways of doing things.

## Religion

Although discrimination on the grounds of religion is not illegal in Great Britain, some cases of racial discrimination where religion played a significant role have been successfully pursued under the Race Relations Act. Given the diversity of staff and trainees' religious beliefs and practices, employers and training providers should promote religious tolerance, and those catering for religious minorities should take account of festivals, prayer, fasting and other religious obligations when planning their training programmes, services and other facilities. A commitment to religious tolerance can be demonstrated by the provision of a quiet room for prayer; by providing for certain dietary requirements; or by removing exclusive references to Christian festivals from the organisation's literature.

## Asylum-seekers

Asylum-seekers and refugees face a number of barriers that can hinder their access to training and job opportunities. They may also face particular difficulties when required to produce documented evidence of prior qualifications or job experience. Some may need specialist support to help them cope with past trauma or to address particular housing, financial or domestic needs. The laws governing provision for refugees and asylum seekers are complex and under constant review. Refugee Council (see Address list, Chapter 12) publishes regular briefing papers and TECs/training providers are advised to keep abreast of legislative changes in this area.

## English for speakers of other languages

Trainees whose first language is not English may need ESOL (English as a Second or Other Language) support in order to access training and employment. Lack of proficiency in English can be a major barrier to accessing training and work, and can limit people who are otherwise highly skilled or qualified to low-level, low-paid jobs. Stereotypes based on assumptions that lack of English equates with lack of intelligence, or that customers may not like staff with strong accents, are also a barrier, as are assumptions that a strong accent means that someone will automatically need ESOL support. Such problems tend to affect older people, although some young people such as asylum-seekers will also face these prejudices. Whatever their age, people's language skills will vary considerably, and any assessment of need must take account of these differences. For example, some trainees may be proficient in several languages, while others may be unable to read or write in their mother tongue. The use of community languages in TEC/ training provider publicity and regular monitoring of the progress of trainees receiving ESOL support are examples of measures that can be taken to support trainees with language needs.

## People with disabilities

The majority of disabled people do not need any special help, society's attitudes are the greatest hurdle. Stereotyped thinking often associates their physical or sensory impairments with limited intellectual ability. Misplaced concerns about health and safety and the impact on other staff or trainees may be used as an excuse not to recruit them. Reasonable adjustments and appropriate support in the work or training environment will help to dismantle these barriers and could take the form of alternative means of communication such as the use of British Sign Language; adaptations to premises or specialist equipment.

## People with learning difficulties

People with learning difficulties are also subject to stereotypes and discrimination. Some jobs or training programmes have traditionally been considered 'more suitable', for example, resulting in their skills and capabilities being underestimated, or their aspirations being ignored. Discriminatory attitudes that stem from concerns about the reaction of other staff or trainees also pose a major barrier. Scarce resources or lack of expertise may encourage blanket solutions that fail to take account of individual needs. Staff responsible for work placements may be tempted to opt for less challenging opportunities in order to 'protect' clients with learning difficulties. The evidence suggests that many people with mild or moderate learning difficulties do better in open employment than in a sheltered environment, and are more likely to realise their potential, even though some will require additional support, particularly at the start of the placement or job. They may also take longer to achieve certain outcomes.

## People needing help with literacy and numeracy

It is estimated that 6 million people in the UK have difficulties with basic literacy and numeracy skills. They are more likely to face long-term unemployment and to face difficulties when applying for jobs. Where they are already in work or training, they may find it difficult to keep pace with developments or communications about new working practices. Their problems may stem from earlier failure at school and a loss of confidence or motivation to learn, particularly in a classroom setting. People often find ways of coping with or disguising these difficulties and may be reluctant to ask for help. Additional support should therefore be presented positively and focus on individual strengths. Difficulties with literacy and numeracy do not necessarily mean a lack of intelligence. They may be symptoms of other learning difficulties, such as dyslexia.

## People with behavioural difficulties

Social exclusion may mean that some individuals, particularly young people, become alienated, cynical or poorly motivated. Homelessness or drug abuse can reinforce this. Individual ability varies greatly, and it should not be assumed that low educational attainment equates with a lack of intelligence or ability. People with behavioural difficulties will need additional encouragement to take up work, training and guidance opportunities, requiring particular skills, support and perseverance on the part of the training provider and supporting agencies. They will also need to create an environment in which there are clear boundaries and fair treatment and train staff to recognise people as individuals and encourage them to try again if they make mistakes.

## Women

Women are still concentrated in part-time work and traditional occupational sectors that tend to offer lower pay and poor promotion prospects. They make up almost half the workforce but are only represented in one third of managerial and administrative jobs. Stereotyping and discrimination account for part of the problem. Many women still take on the majority of domestic and caring responsibilities and are required to fit their careers around these. Career breaks to look after a family may mean losing touch with the labour market and seeking to re-enter with outmoded skills and lack of confidence. Home management skills tend to be undervalued and should be taken account of when assessing women returning to the labour market. It should be recognised that women who are disabled or from ethnic minority groups are doubly disadvantaged.

## Sexual Orientation

Some cases of discrimination on the grounds of sexual orientation have been successfully brought before the European Court of Human Rights. Your EO policy should include a commitment to challenging homophobia and discrimination on the grounds of sexual orientation, and to creating an environment where lesbians and gay men can work or learn without fear of harassment.

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 Ashish Poddar – Commission for Racial Equality  
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 Robin Bream – Department for Education and Employment  
 Aubrey McGill – Department for Education and Employment

## List of Participants at TEC National Council Consultation Workshop on 25.11.98

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 Stella Dadzie – Facilitator  
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## Useful Addresses

Advisory Committee for Disabled People in Employment and Training, c/o Jim Sherwin, Room N8 ,  
DfEE, Moorfoot, Sheffield, S1 4PQ  
Tel: 0114 2594942

Apex Resource Centre, Sunley House, 28 Commercial Street, London E1  
Tel: 0171 2478575

Association of Chief Officers of Probation, 4<sup>th</sup> Floor, 8/9 Grosvenor Place, London SW1X 7SH  
Tel: 0171 823 2551

Basic Skills Agency, 7<sup>th</sup> Floor, Commonwealth House, 1-19 New Oxford Street, London WC1A 1NU  
Tel: 0171 4054017

Black Training and Enterprise Group (BTEG), NCVO, Regents Wharf, 8 All Saints Street, London N1 9RL  
Tel: 0171 7136161

British Quality Foundation, 32-34 Great Peter Street, London SW1P 2QX  
Tel: 0171 654 5011

Commission for Racial Equality, Elliot House, 10/12 Allington Street, London SW1E 5EH  
Tel: 0171 8287022

Disability Employment Advisors (DEAS) and Placement, Assessment and Counselling Teams (PACTS):  
contact via local Job Centres

Employers' Forum on Disability, Nutmeg House, 60 Gainsford Street, London, SE1 2NY  
Tel: 0171 4033020

Equality Foundation, PO Box 164, St Lawrence House, 29-31 Broad Street, Bristol, BS99 7HR  
Tel: 0117 9297780

Equal Opportunities Commission, Overseas House, Quay Street, Manchester, M3 3HN  
Tel: 0161 8339244

MIND: National Association for Mental Health, Granta House, 15-19 Broadway, London, E15 4BQ  
Tel: 0181 519 2122

NACRO (National Association for the Care and Resettlement of Offenders), 169 Clapham Road, London  
SW9 0PU  
Tel: 0171 5826500

National Training Organisations (NTO) National Council, 10 Meadowcourt, Arncliffe Road, Sheffield S9 1BX  
Tel: 0114 2619926

National Council for Voluntary Organisations (NCVO), Regents Wharf, 8 All Saints Street, London N1 9RL  
Tel: 0171 7136161

Project Fullemploy, 20 Norton Folgate Road, London E1 6DB  
Tel: 0171 3779536

The Refugee Council, 3 Bondway, London Sw8 1SJ  
Tel: 0171 5826922

Royal National Institute for the Blind (RNIB), 224 Great Portland Street, London W1N 6AA  
Tel: 0171 3881266

Royal National Institute for Deaf People (RNID), 19-23 Featherstone Street, London EC1Y 8SL  
Tel: 0171 296 8062

SCOPE, 6 Market Road, London N7 9PW  
Tel: 0171 619 7100

SKILL, Chapter House, 18-20 Crucifix Lane, London SE1 3JW  
Tel: 0171 2735486

TEC National Council, Westminster Tower, 3 Albert Embankment, London SE1 7SX  
Tel: 0171 7350010

Training Standards Council, Nash Court, Smith Drive, Oxford Business Park, Oxford OX4 2PH  
Tel: 01865 788700 (see Website for Inspection Reports: [www.TSC.gov.uk](http://www.TSC.gov.uk))

Women's Training Network, Aizlewood's Business Centre, Nursery Street, Sheffield S3 8GG  
Tel: 0114 2823172/3

# Useful Publications

ADDRESSING EQUAL OPPORTUNITIES (NTO NATIONAL COUNCIL 1998)  
 CLOSING THE GAP BETWEEN BLACK & WHITE (BTEG 1998)  
 EQUAL OPPORTUNITIES QUALITY FRAMEWORK (EQUALITY FOUNDATION 1995)  
 EQUAL OPPORTUNITIES AND SPECIAL TRAINING NEEDS: AN OVERVIEW (TECS GOOD PRACTICE SERIES 1995)  
 EVALUATION OF TEC'S EQUAL OPPORTUNITIES STRATEGIES (DfEE 1998)  
 GUIDE TO THE BUSINESS EXCELLENCE MODEL FOR TECS/CCTES (DfEE 1998)  
 INCLUSIVE LEARNING (HMSO 1996)  
 A MEASURE OF EQUALITY (CRE 1991)  
 MONITORING, POSITIVE ACTION, TARGETING (EOC 1995)  
 RACIAL EQUALITY MEANS BUSINESS (CRE 1995)  
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 TEC EQUAL OPPORTUNITIES NATIONAL STANDARD (DFEE 1997)  
 EQUAL OPPORTUNITIES TEN POINT PLAN (DfEE PL922)  
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ROAMEF - An Evaluation Strategy ..... November 1994

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